

Republicanism vs. Grantism.

THE PRESIDENCY A TRUST; NOT A PLAYTHING AND PERQUISITE.

Personal Government and Presidential Pretensions.

REFORM AND PURITY IN GOVERNMENT.

SPEECH

OF

HON. CHARLES SUMNER,

OF MASSACHUSETTS,

DELIVERED

IN THE SENATE OF THE UNITED STATES,

MAY 31, 1872.

Socrates. Then whom do you call the good?

Alcibiades. I mean by the good those who are able to rule in the city.

Socrates. Not, surely, over horses?

Alcibiades. Certainly not.

Socrates. But over men?

Alcibiades. Yes."

[*Plato, Dialogues. The First Alcibiades.*]

"Among the foremost purposes ought to be the downfall of this odious, insulting, degrading, aide-de-campish, incapable dictatorship. At such a crisis is the country to be left at the mercy of barrack councils and mess-room politics?"—*Letter of Lord Durham to Henry Brougham, Aug., 1833. Brougham's Life and Times, Vol. iii, p. 44.*

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"It is a maxim in politics which we readily admit as undisputed and universal, that a power, however great, when granted by law to an eminent magistrate, is not so dangerous to liberty as an authority, however inconsiderable, which he acquires from violence and usurpation."—*Hume's Essays, Part II, No. 10, of some remarkable customs.*



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SPEECH.

The sundry civil appropriation bill coming up as unfinished business, Mr. SUMNER moved to postpone indefinitely its consideration, and after remarking on the report of the Committee on the Sale of Arms to French agents, proceeded:

MR. PRESIDENT: I have no hesitation in declaring myself a member of the Republican party and one of the straitest of the sect. I doubt if any Senator can point to earlier or more constant service in its behalf. I began at the beginning, and from that early day have never failed to sustain its candidates and to advance its principles. For these I have labored always by speech and vote, in the Senate and elsewhere, at first with few only, but at last as success began to dawn then with multitudes flocking forward. In this cause I never asked who were my associates or how many they would number. In the consciousness of right I was willing to be alone. To such a party, with which so much of my life is intertwined, I have no common attachment. Not without regret can I see it suffer; not without a pang can I see it changed from its original character, for such a change is death. Therefore do I ask, with no common feeling, that the peril which menaces it may pass away. I stood by its cradle; let me not follow its hearse.

ORIGIN AND OBJECT OF THE REPUBLICAN PARTY.

Turning back to its birth, I recall a speech of my own at a State convention in Massachusetts, as early as September 7, 1854, where I vindicated its principles and announced its name in these words: "As REPUBLICANS we go forth to encounter the *Oligarchs* of Slavery." The report records the applause with which this name was received by the excited multitude. Years of conflict ensued, in which the good cause constantly gained. At last, in the summer of 1860, Abraham Lincoln was nominated by this party as its candidate for the Presidency; and here pardon me if I refer again to myself. On my way

home from the Senate I was detained in New York by the invitation of party friends to speak at the Cooper Institute on the issues of the pending election. The speech was made July 12, and, I believe, was the earliest of the campaign. As published at the time it was entitled "Origin, Necessity, and Permanence of the Republican Party," and to exhibit these was its precise object. Both the necessity and permanence of the party were asserted. A brief passage, which I take from the report in the New York Herald, will show the duty and destiny I ventured then to hold up. After dwelling on the evils of Slavery and the corruptions it had engendered, including the purchase of votes at the polls, I proceeded as follows:

"Therefore just so long as the present false theories of Slavery prevail, whether concerning its character morally, economically, and socially, or concerning its prerogatives under the Constitution, just so long as the Slave Oligarchy, which is the sleepless and unhesitating agent of Slavery in all its pretensions, continues to exist as a political power, the Republican party must endure. [Applause.] If bad men conspire for Slavery, good men must combine for Freedom. ['Good, good!'] Nor can the holy war be ended until the barbarism now dominant in the Republic is overthrown and the Pagan power is driven from our Jerusalem. [Applause.] And when the triumph is won, securing the immediate object of our organization, the Republican party will not die, but purified by long contest with Slavery and filled with higher life, it will be lifted to yet other efforts with nobler aims for the good of man. [Applause, three cheers for Lincoln.]"

Such, on the eve of the presidential election, was my description of the Republican party and my aspiration for its future. It was not to die, but purified by long contest with Slavery and filled with higher life, we were to behold it lifted to yet other efforts with nobler aims for the good of man. Here was nothing personal, nothing man or party. The Republican party was necessary and permanent, and always on an ascending plane. For such a party there was no death, but higher life and nobler aims; and this was the party to which I gave my vows. But alas! how

changed. Once country was the object, and not a man; once principle was inscribed on the victorious banners, and not a name only.

REPUBLICAN PARTY SEIZED BY THE PRESIDENT.

It is not difficult to indicate when this disastrous change, exalting the will of one man above all else, became not merely manifest but painfully conspicuous. Already it had begun to show itself in personal pretensions, to which I shall refer soon, when suddenly and without any warning through the public press or any expression from public opinion, the President elected by the Republican party precipitated upon the country an ill-considered and ill-omened scheme for the annexation of a portion of the island of St. Domingo, in pursuance of a treaty negotiated by a person of his own household styling himself "Aid-de-Camp of the President of the United States." Had this effort, however injudicious in object, been confined to ordinary and constitutional proceedings, with proper regard for a coördinate branch of the Government, it would have soon dropped out of sight and been remembered only as a blunder. But it was not so. Strangely and unaccountably, it was pressed for months by every means and appliance of power, whether at home or abroad, now reaching into the Senate Chamber, and now into the waters about the island. Reluctant Senators were subdued to its support, while, treading under foot the Constitution in one of its most distinctive republican principles, the President seized the war powers of the nation, instituted foreign intervention, and capped the climax of usurpation by menace of violence to the Black Republic of Hayti, where the colored race have commenced the experiment of self-government, thus adding manifest outrage of International Law to manifest outrage of the Constitution, while the long-suffering African was condemned to new indignity. All these things, so utterly indefensible and aggravating, and therefore to be promptly disowned, found defenders on this floor. The President, who was the original author of the wrongs, continued to maintain them, and appealed to Republican Senators for help, thus fulfilling the eccentric stipulation with the Government of Baez, executed by his Aid de-Camp.

At last a Republican Senator, who felt it his duty to exhibit these plain violations of the Constitution and of International Law, and then in obedience to the irresistible promptings of his nature, and in harmony with his whole life, pleaded for the equal rights of the Black Republic—who declared that he did this as a Republican, and to save the party from this wretched complicity—this Republican Senator, engaged in a patriotic service, and anxious to save the colored people from outrage, was denounced on this floor as a traitor to the party, and this was done by a Senator

speaking for the party, and known to be in intimate relations with the President guilty of these wrongs. Evidently the party was in process of change from that generous association dedicated to Human Rights and to the guardianship of the African race. Too plainly it was becoming the instrument of *one man and his personal will*, no matter how much he set at defiance the Constitution and International Law, or how much he insulted the colored people. The President was to be maintained at all hazards, notwithstanding his aberrations, and all who called them in question were to be struck down.

In exhibiting this autocratic pretension, so revolutionary and unrepublican in character, I mean to be moderate in language and to keep within the strictest bounds. The facts are indisputable, and nobody can deny the gross violation of the Constitution and of International Law with insult to the Black Republic—the whole case being more reprehensible, as also plainly more unconstitutional and more illegal than anything alleged against Andrew Johnson on his impeachment. Believe me, sir, I should gladly leave this matter to the judgment already recorded, if it were not put in issue again by the extraordinary efforts, radiating on every line of office, to press its author for a second term as President; and since silence gives consent, all these efforts are his efforts. They become more noteworthy when it is considered that the name of the candidate thus pressed has become a sign of discord and not of concord, dividing instead of uniting the Republican party, so that these extraordinary efforts tend directly to the disruption of the party, all of which he witnesses and again by his silence ratifies. "Let the party split," says the President, "I will not renounce my chance of a second term." The extent of this personal pressure and the subordination of the party to the will of an individual compels us to consider his pretensions. These, too, are in issue.

PRESIDENTIAL PRETENSIONS.

"On what meat doth this our Cæsar feed" that he should assume so much? No honor for victory in war can justify disobedience to the Constitution and to law; nor can it afford the least apology for any personal immunity, privilege, or license in the presidential office. A President must turn into a king before it can be said of him that he can do no wrong. He is responsible always. As President he is foremost servant of the law, bound to obey its slightest mandate. As the elect of the people he owes not only the example of willing obedience, but also of fidelity and industry in the discharge of his exalted office with an absolute abnegation of all self-seeking. Nothing for self but all for country. And now, as we regard the career of this candidate, we

find to our amazement how little it accords with this simple requirement. Bring it to the touchstone and it fails.

Not only are Constitution and law disregarded, but the presidential office itself is treated as little more than a plaything and a perquisite—when not the former then the latter. Here the details are ample; showing how from the beginning this august trust has dropped to be a personal indulgence, where palace cars, fast horses, and sea-side loiterings figure more than duties; how personal aims and objects have been more prominent than the public interests; how the presidential office has been used to advance his own family on a scale of nepotism dwarfing everything of the kind in our history and hardly equaled in the corrupt governments where this abuse has most prevailed; how in the same spirit office has been conferred upon those from whom he had received gifts or benefits, thus making the country repay his personal obligations; how personal devotion to himself rather than public or party service has been made the standard of favor; how the vast appointing power conferred by the Constitution for the general welfare has been employed at his will to promote his schemes, to reward his friends, to punish his opponents, and to advance his election to a second term; how all these assumptions have matured in a *personal government*, semi-military in character and breathing the military spirit, being a species of Cæsarism or *personalism*, abhorrent to republican institutions, where subservience to the President is the supreme law; how in maintaining this subservience he has operated by a system of combinations, military, political, and even senatorial, having their orbits about him, so that, like the planet Saturn, he is surrounded by rings; nor does the similitude end here, for his rings, like those of the planet, are held in position by satellites; how this utterly unrepugnant Cæsarism has mastered the Republican party and dictated the presidential will, stalking into the Senate Chamber itself, while a vindictive spirit visits good Republicans who cannot submit; how the President himself, unconscious that a President has no right to quarrel with anybody, insists upon quarreling until he has become the great presidential quarreler, with more quarrels than all other Presidents together, all begun and continued by himself; how his personal followers back him in quarrels, insult those he insults, and then, not departing from his spirit, cry out with Shakspeare, "We will have rings and things and fine array;" and finally, how the chosen head of the Republic is known chiefly for presidential pretensions, utterly indefensible in character, derogatory to the country and of evil influence, making personal objects a primary pursuit, so that instead of a beneficent presence he is a bad example

through whom Republican institutions suffer and the people learn to do wrong.

Would that these things could be forgotten, but since through officious friends the President insists upon a second term they must be considered and publicly discussed. When understood nobody will vindicate them. It is easy to see that Cæsarism even in Europe is at a discount; that "personal government" has been beaten on that ancient field, and that "Cæsar with a senate at his heels" is not the fit model for our Republic. King George III of England, so peculiar for narrowness and obstinacy, had retainers in Parliament who went under the name of "The King's Friends." Nothing can be allowed here to justify the inquiry, "Have we a King George among us?" or that other question, "Have we a party in the Senate of 'the King's Friends?'"

PERSONAL GOVERNMENT UNREPUBLICAN.

Personal government is autocratic. It is the One Man Power elevated above all else, and is, therefore, in direct conflict with republican government, whose consummate form is tripartite, being Executive, Legislative, and Judicial; each independent and coequal. From Mr. Madison, in the *Federalist*, we learn that the accumulation of these powers "in the same hands" may justly be pronounced "the very definition of tyranny." And so any attempt by either to exercise powers of another is a tyrannical invasion always reprehensible in proportion to its extent. John Adams tells us in most instructive words that "it is by balancing each of these powers against the other two that the efforts in human nature toward tyranny can alone be checked and restrained, and any degree of freedom preserved in the Constitution." (*John Adams's Works*, Vol. IV, p. 186.)

Then, again, the same authority says that the perfection of this great idea is "by giving each division a power to defend itself by a negative." (*Ibid.*, page 296.) In other words, each is armed against invasion by the others. Accordingly, the constitution of Virginia, in 1776, famous as an historical precedent, declared expressly:

"The legislative, executive, and judiciary departments shall be separate and distinct, so that neither exercise the powers properly belonging to the other; nor shall any person execute the powers of more than one of them at the same time."

The constitution of Massachusetts, dating from 1780; embodied the same principle in memorable words:

"The legislative department shall never exercise the executive and judicial powers, or either of them; the executive shall never exercise the legislative and judicial powers, or either of them; the judicial shall never exercise the legislative and executive powers, or either of them, to the end that it may be a government of laws and not of men."

A government of laws and not of men is the

object of republican government; nay more, it is the distinctive essence without which it becomes a tyranny. Therefore, personal government in all its forms, and especially when it seeks to sway the action of any other branch or overturn its constitutional negative, is hostile to the first principles of republican institutions, and an unquestionable outrage. That our President has offended in this way is unhappily too apparent.

THE PRESIDENT AS A CIVILIAN.

To comprehend the personal government that has been installed over us we must know its author. His picture is the necessary frontispiece; not as soldier, let it be borne in mind, but as civilian. The President is titular head of the Army and Navy of the United States; but his office is not military or naval. As it to exclude all question, he is classed by the Constitution among "civil officers." Therefore as civilian is he to be seen. Then, perhaps, may we learn the secret of the policy so adverse to republicanism in which he perseveres.

To appreciate his peculiar character as a civilian it is important to know his triumphs as a soldier, for the one is the natural complement of the other. The successful soldier is rarely changed to the successful civilian. There seems an incompatibility between the two, modified by the extent to which one has been allowed to exclude the other. One always a soldier cannot late in life become a statesman; one always a civilian cannot late in life become a soldier. Education and experience are needed for each. Washington and Jackson were civilians as well as soldiers.

In the large training and experience of antiquity the soldier and civilian were often united; but in modern times this has been seldom. The camp is peculiar in the influence it exercises; it is in itself an education; but it is not the education of the statesman. To suppose that we can change without preparation from the soldier to the statesman is to assume that training and experience are of less consequence for the one than the other—that a man may be born a statesman but can fit himself as a soldier only by four years at West Point, careful scientific study, the command of troops, and experience in the tented field. And is nothing required for the statesman? Is his duty so slight? His study is the nation and its welfare, turning always to history for example, to law for authority, and to the loftiest truth for rules of conduct. No knowledge, care, or virtue, disciplined by habit, can be too great. The pilot is not accepted in his trust until he knows the signs of the storm, the secrets of navigation, the rocks of the coast, all of which are learned only by careful study with charts and soundings, by coasting the land and watching the

crested wave. But can less be expected of that other pilot who is to steer the ship which contains us all?

The failure of the modern soldier as statesman is exhibited by Mr. Buckle in his remarkable work on the "History of Civilization." Writing as a philosopher devoted to liberal ideas, he does not disguise that in antiquity "the most eminent soldiers were likewise the most eminent politicians;" but he plainly shows the reason when he adds that "in the midst of the hurry and turmoil of camps these eminent men cultivated their minds to the highest point that the knowledge of that age would allow." (Vol. I, chap. 4.) The secret was culture not confined to war. In modern Europe few soldiers have been more conspicuous than Gustavus Adolphus and Frederick sometimes called the Great; but we learn from our author that both "failed ignominiously in their domestic policy and showed themselves as short-sighted in the arts of peace as they were sagacious in the arts of war." (*Ibid.*) The judgment of Marlborough is more pointed. While portraying him as "the greatest conqueror of the age, the hero of a hundred fights, the victor of Blenheim and Ramillies," the same philosophical writer adds that he was "a man not only of the most idle and frivolous pursuits, but so miserably ignorant that his deficiencies made him the ridicule of his contemporaries," while his politics were compounded of selfishness and treachery. Nor was Wellington an exception. Though shining in the field without a rival, and remarkable for integrity of purpose, an unflinching honesty and high moral feeling, the conqueror of Waterloo is described as "nevertheless utterly unequal to the complicated exigencies of political life." (*Ibid.*) This judgment of the philosopher is confirmed by that of Metternich, the renowned statesman, who, after encountering Wellington at the congresses of Vienna and Verona, did not hesitate to write of him as "the Great Baby." (Sir H. L. Bulwer, *Historical Characters*, Vol. II, p. 320. Such are the examples of history, each with its warning.

It would be hard to find anything in the native endowments or in the training of our chieftain to make him an illustrious exception; at least nothing of the kind is recorded. Was nature more generous with him than with Marlborough or Wellington, Gustavus Adolphus or Frederick called the Great? Or was his experience of life a better preparation than theirs? And yet they failed except in war. It is not known that our chieftain had any experience as a civilian until he became President, nor does any partisan attribute to him that double culture which in antiquity made the same man soldier and statesman. It has been often said that he took no note of public affairs never voting but once in his life, and then for

James Buchanan. After leaving West Point he became a captain in the Army, but soon abandoned the service to reappear at a later day as a successful general. There is no reason to believe that he employed this intermediate period in any way calculated to improve him as a statesman. One of his unhesitating supporters, my colleague, [Mr. WILSON.] in a speech intended to commend him for reelection says:

"Before the war we knew nothing of Grant. He was earning a few hundred dollars a year in tanning hides in Galena."

By the war he passed to be President; and such was his preparation to govern the great Republic, making it an example to mankind. Thus he learned to deal with all questions domestic and foreign, whether of peace or war, to declare constitutional law and international law and to administer the vast appointing power, creating Cabinet officers, judges, foreign ministers, and an uncounted army of officeholders.

To these things must be added that when this soldier first began as civilian he was already forty six years old. At this mature age, close upon half a century, when habits are irrevocably fixed, when the mind has hardened against what is new, when the character has taken its permanent form, and the whole man is rooted in his own unchangeable individuality, our soldier entered abruptly upon the untried life of a civilian in its most exalted sphere. Do not be surprised, that, like other soldiers, he failed; the wonder would be had he succeeded. Harvey was accustomed to say that nobody over forty ever accepted his discovery of the circulation of the blood; but he is not the only person who has recognized this period of life as the dividing point after which it is difficult to learn new things. Something like this is embodied in the French saying, that at forty a man has given his measure. At least his vocation is settled—how completely is seen if we suppose the statesman after traversing the dividing point abruptly changed to the soldier. And yet at an age nearly seven years later our soldier precipitately changed to the statesman.

This sudden metamorphosis cannot be forgotten when we seek to comprehend the strange pretensions which ensued. It is easy to see how some very moderate experience in civil life, involving of course the lesson of subordination to republican principles, would have prevented indefensible acts.

TESTIMONY OF THE LATE EDWIN M. STANTON.

Something also must be attributed to individual character; and here I express no opinion of my own; I shall allow another to speak in solemn words echoed from the tomb.

On reaching Washington at the opening of Congress in December, 1869, I was pained to hear that Mr. Stanton, lately Secretary of

War, was in failing health. Full of gratitude for his unsurpassed services, and with a sentiment of friendship quickened by common political sympathies, I lost no time in seeing him, and repeated my visits until his death, toward the close of the same month. My last visit was marked by a communication never to be forgotten. As I entered his bedroom, where I found him reclining on a sofa, propped by pillows, he reached out his hand, already clammy cold, and in reply to my inquiry, "How are you?" answered, "Waiting for my furlough." Then at once with singular solemnity he said, "I have something to say to you." When I was seated he proceeded without one word of introduction: "I know General Grant better than any other person in the country can know him. It was my duty to study him, and I did so night and day, when I saw him and when I did not see him, and now I tell you what I know, *he cannot govern this country.*" The intensity of his manner and the positiveness of his judgment surprised me, for though I was aware that the late Secretary of War did not place the President very high in general capacity, I was not prepared for a judgment so strongly couched. At last, after some delay, occupied in meditating his remarkable words, I observed, "What you say is very broad." "It is as true as it is broad," he replied promptly. I added, "You are tardy; you tell this late; why did you not say it before his nomination?" He answered that he was not consulted about the nomination, and had no opportunity of expressing his opinion upon it, besides being much occupied at the time by his duties as Secretary of War and his contest with the President. I followed by saying, "But you took part in the presidential election, and made a succession of speeches for him in Ohio and Pennsylvania." "I spoke," said he, "but I never introduced the name of General Grant. I spoke for the Republican party and the Republican cause." This was the last time I saw Mr. Stanton. A few days later I followed him to the grave where he now rests. As the vagaries of the President became more manifest and the presidential office seemed more and more a plaything and perquisite, this dying judgment of the great citizen who knew him so well haunted me constantly day and night, and I now communicate it to my country, feeling that it is a legacy which I have no right to withhold. Beyond the intrinsic interest from its author, it is not without value as testimony in considering how the President could have been led into that Quixotism of personal pretension which it is my duty to expose.

DUTY TO MAKE EXPOSURE.

Pardon me if I repeat that it is my duty to make this exposure, spreading before you the proofs of that personal government, which will

only pass without censure when it passes without observation. Insisting upon reelection, the President challenges inquiry and puts himself upon the country. But even if his pressure for reelection did not menace the tranquillity of the country, it is important that the personal pretensions he has set up should be exposed, that no President hereafter may venture upon such ways and no Senator presume to defend them. The case is clear as noon.

TWO TYPICAL INSTANCES.

In opening this catalogue I select two typical instances, Nepotism and Gift-taking officially compensated, each absolutely indefensible in the head of a Republic, most pernicious in example, and showing beyond question that surpassing egotism which changed the presidential office into a personal instrumentality, not unlike the trunk of an elephant, apt for all things, small as well as great, from provision for a relation to forcing a treaty on a reluctant Senate or forcing a reelection on a reluctant people.

NEPOTISM OF THE PRESIDENT.

Between these two typical instances I hesitate which to place foremost, but since the nepotism of the President is a ruling passion revealing the primary instincts of his nature; since it is maintained by him in utter unconsciousness of its offensive character; since instead of blushing for it as an unhappy mistake he continues to uphold it; since it has been openly defended by Senators on this floor, and since no true patriot anxious for republican institutions can doubt that it ought to be driven with hissing and scorn from all possibility of repetition, I begin with this undoubted abuse.

There has been no call of Congress for a return of the relations holding office, stipend or money-making opportunity under the President. The country is left to the press for information on this important subject. If there is any exaggeration the President is in fault, since knowing the discreditable allegations he has not hastened to furnish the precise facts, or at least his partisans have failed in not calling for the official information. In the mood which they have shown in this Chamber it is evident that any resolution calling for it moved by a Senator not known to be for his reelection would meet with opposition, and an effort to vindicate republican institutions would be denounced as an assault on the President. But the newspapers have placed enough beyond question for judgment on this extraordinary case, although thus far there has been no attempt to appreciate it, especially in the light of history.

One list makes the number of beneficiaries as many as forty-two—being probably every known person allied to the President by blood or marriage. Persons seeming to speak

for the President, or at least after careful inquiries, have denied the accuracy of this list, reducing it to thirteen. It will not be questioned that there is at least a baker's dozen in this category—thirteen relations of the President billeted on the country, not one of whom but for this relationship would have been brought forward, the whole constituting a case of nepotism not unworthy of those worst governments where office is a family possession.

Beyond the list of thirteen are other revelations, showing that this strange abuse did not stop with the President's relations, but that these obtained appointments for others in their circle, so that every relation became a center of influence, while the presidential family extended indefinitely.

Only one President has appointed relations, and that was John Adams; but he found public opinion, inspired by the example of Washington, so strong against it that after a slight experiment he replied to an applicant, "You know it is impossible for me to appoint my own relations to anything without drawing forth a torrent of obloquy." (Letter to Benjamin Adams, April 2, 1799; John Adams's Works, vol. VIII, p. 634.) The judgment of the country found voice in Thomas Jefferson, who, in a letter written shortly after he became President, used these strong words: "Mr. Adams degraded himself infinitely by his conduct on this subject." But John Adams, besides transferring his son, John Quincy Adams, from one diplomatic post to another, appointed only two relations. Pray, sir, what words would Jefferson use if he were here to speak on the open and multifarious nepotism of our President?

ORIGIN AND HISTORY OF NEPOTISM.

The presidential pretension is so important in every aspect, and the character of republican institutions is so absolutely compromised by its toleration, that it cannot be treated in any perfunctory way. It shall not be my fault if hereafter there is any doubt with regard to it.

The word "nepotism" is of Italian origin. First appearing at Rome when the papal power was at its height, it served to designate the authority and influence exercised by the nephews, or more generally the family of a Pope. All the family of a Pope were nephews and the Pope was universal uncle. As far back as 1667 this undoubted abuse occupied attention to such a degree that it became the subject of an able historical work in two volumes, entitled *Il Nepotismo di Roma*, which is full of instruction and warning even for our Republic. From Italian the word passed into other European languages, but in the lapse of time or process of naturalization, it has come to denote the misconduct of the appointing power. Addison, who visited

Rome at the beginning of the last century, described it as "undue patronage bestowed by the Popes upon the members of their family." But the word has amplified since, so as to embrace others besides Popes who appoint relations to office. Johnson in his Dictionary defined it simply as "fondness for nephews;" but our latest and best lexicographer, Worcester, supplies a definition more complete and satisfactory: "Favoritism shown to relations; patronage bestowed in consideration of family relationship and not of merit." Such undoubtedly is the meaning of the word as now received and employed.

The character of this pretension appears in its origin and history. In the early days of the Church, Popes are described as discarding all relationship, whether of blood or alliance, and inclining to merit alone in their appointments, although there were some with so large a number of nephews, grand nephews, brothers-in-law, and relations as to baffle belief, and yet it is recorded that no sooner did the good Pope enter the Vatican, which is the Executive Mansion of Rome, than relations fled, brothers-in-law hid themselves, grand-nephews removed away, and nephews got at a long distance. Such was the early virtue. Nepotism did not exist, and the word itself was unknown.

At last, in 1471, twenty-one years before the discovery of America by Christopher Columbus, Sixtus IV became Pope, and with him began that nepotism which soon became famous as a Roman institution. Born in 1411, the son of a fisherman, the eminent founder was already fifty-seven years old, and he reigned thirteen years, bringing to his functions large experience as a successful preacher and as general of the Franciscan friars. Though cradled in poverty, and by the vows of his order bound to mendicancy, he began at once to heap office and riches upon the various members of his family, so that his conduct, from its barefaced inconsistency with the obligation of his life, excited, according to the historian, "the amazement and wonder of all." The useful reforms he attempted are forgotten, and this remarkable pontiff is chiefly remembered now as the earliest nepotist. Different degrees of severity are employed by different authors in characterizing this unhappy fame. Bouillet, in his Dictionary of History, having Catholic approbation, describes him as "feeble toward his nephews," and our own Cyclopædia, in a brief exposition of his character, says "he made himself odious by excessive nepotism." But in all varieties of expression the offense stands out for judgment.

The immediate successor of Sixtus was Innocent VIII, whom the historian describes as "very cold to his relations," since two only obtained preferment at his hands. But the example of the founder so far prevailed that for a century nepotism, as was said,

"lorded it in Rome," except in a few instances worthy of commemoration and example.

Of these exceptions, the first in time was Julius II, founder of St. Peter's at Rome, whose remarkable countenance is so beautifully preserved by the genius of Raffaele. Though the nephew of the nepotist, and not declining to appoint all relations, he did it with such moderation that nepotism was said to be dying out. Adrian VI, early teacher of Charles V, and successor of Leo X, set a better example by refusing absolutely. But so accustomed had Rome become to this abuse, that not only the ambassadors but the people condemned him as "too severe with his relations." A son of his cousin, studying in Siena, started for Rome, trusting to obtain important recognition. But the Pope, without seeing him, sent him back on a hired horse. Relations thronged from other places and even from across the Alps, longing for that greatness which other Popes had lavished on family; but Adrian dismissed them with a slight change of clothing and an allowance of money for the journey. One who from poverty came on foot was permitted to return on foot. This Pope carried abnegation of his family so far as to make relationship an excuse for not rewarding one who had served the Church well.

Similar in character was Marcellus II, who became Pope in 1555. He was unwilling that any of his family should come to Rome; even his brother was forbidden; but this good example was closed by death after a reign of twenty days only. And yet this brief period of exemplary virtue has made this pontiff famous. Kindred in spirit was Urban VII, who reigned thirteen days only in 1590, but long enough to repair his relations, and also Leo XI, who reigned twenty-five days in 1605. To this list may be added Innocent IX, who died after two months of service. It is related that his death displeased his relations much, and dissolved the air-castles they had built. They had hurried from Bologna, but except a grand nephew, all were obliged to return poor as they came. In this list I must not forget Pius V, who reigned from 1565 to 1572. He set himself so completely against aggrandizing his own family, that he was with difficulty persuaded to make a sister's son cardinal, and would not have done it had not all the cardinals united on grounds of conscience against the denial of this dignity to one most worthy of it. Such virtue was part of that elevated character which caused his subsequent canonization.

These good Popes were short-lived. The reigns of all except Pius counted by days only; but they opened happy glimpses of an administration where the powers of government were not treated as a personal perquisite. The opposite list had the advantage of time.

Conspicuous among nepotists was Alex-

ander VI, whose family name of Borgia is damned to fame. With him nepotism assumed its most brutal and barbarous development, reflecting the character of its pontifical author, who was without the smallest ray of good. Other Popes were less cruel and bloody, but not less determined in providing for their families. Paul III, who was of the great house of Farnese, would have had the Estates of the Church a garden for the "lilies" which flourish on the escutcheon of his family. It is related that when Urban VIII, who was a Barberini, commenced his historic reign, all his relations at a distance flew to Rome like the "bees" on the family arms, to suck the honey of the Church, but not leaving behind the sting with which they pricked while they sucked. Whether lilies or bees it was the same. The latter pontiff gave to nepotism fullness of power when he resolved "to have no business with any one not dependent upon his house." In the same spirit he excused himself from making a man cardinal because he had been "the enemy of his nephews." Although nothing so positive is recorded of Paul V, who was a Borghese, his nepotism appears in the Roman saying, that while serving the Church as a good shepherd he "gave too much wool to his relations." These instructive incidents, illustrating the pontifical pretension, reflect light on the history of palaces and galleries at Rome, now admired by the visitor from distant lands. If not created, they were at least enlarged by nepotism.

It does not always appear how many relations a Pope endowed. Often it was all, as in the case of Gregory XIII, who, besides advancing a nephew actually at Rome, called thither all his nephews and grand-nephews, whether from brothers or sisters, and gave them offices, dignities, governments, lordships, and abbacies. Cæsar Borgia and his sister Lucrezia were not the only relations of Alexander VI. I do not find the number adopted by Sixtus, the founder of the system. Pius IV, who was of the grasping Medicean family, favored no less than twenty-five. Alexander VII, of the Chigi family, had about him five nephews and one brother, which a contemporary characterized as "nepotism all complete." This pontiff began his reign by forbidding his relations to appear at Rome, which redounded at once to his credit throughout the Christian world, while the astonished people discoursed of his holiness and the purity of his life, expecting even to see miracles. In making the change he yielded evidently to immoral pressure and the example of predecessors.

The performances of papal nephews figure in history. Next after the Borgias, were the Caraffas, who obtained power through Paul IV, but at last becoming too insolent and rapacious, their uncle was compelled to strip

them of their dignities and drive them from Rome. Sometimes nephews were employed chiefly in ministering to pontifical pleasures, as in the case of Julius III, who, according to the historian, "thought of nothing but banqueting with that one and with this one, keeping his relations in Rome, rather to accompany him at banquets than to aid him in the government of the holy Church, of which he thought little." This occasion for relations does not exist at Rome now, as the pontiff leads a discreet life, always at home and never banquets abroad.

These historic instances make us see nepotism in its original seat. Would you know how it was regarded there? Sometimes it was called a hydra with many heads, sprouting anew at the election of a pontiff; then again it was called Ottoman rather than Christian in character. The contemporary historian who has described it so minutely says that those who merely read of it without seeing it will find it difficult to believe or even imagine. The qualities of a Pope's relation were said to be "ignorance and cunning." It is easy to believe that this prostitution of the head of the Church was one of the abuses which excited the cry for Reform, and awakened even in Rome the echoes of Martin Luther. A brave Swiss is recorded as declaring himself unwilling to be the subject of a pontiff who was himself the subject of his own relations. But even this pretension was not without open defenders, while the general effrontery with which it was maintained assumed that it was above question. If some gave with eyes closed, most gave with eyes open. It was said that Popes were not to neglect their own blood, that they should not show themselves worse than the beasts, not one of whom failed to caress his relations, and the case of bears and lions, the most ferocious of all, was cited as authority for this recognition of one's own blood. All this was soberly said, and it is doubtless true. Not even a Pope can justly neglect his own blood; but help and charity must be at his own expense and not at the expense of his country. In appointments to office merit and not blood is the only just recommendation.

That nepotism has ceased to lord itself in Rome; that no pontiff billets his relations upon the Church; that the appointing power of the Pope is treated as a public trust and not as a personal perquisite—all this is the present testimony with regard to that government which knows from experience the baneful character of this abuse.

AMERICAN AUTHORITIES ON NEPOTISM.

The nepotism of Rome was little known in our country, and I do not doubt that Washington, when declining to make the presidential office a personal perquisite, was governed

by that instinct of duty and patriotism which rendered him so preëminent. Through all the perils of a seven years' war, he had battled with that kingly rule which elevates a whole family without regard to merit, fastening all upon the nation, and he had learned that this royal system could find no place in a republic. Therefore he rejected the claims of relations, and in nothing was his example more beautiful. His latest biographer, Washington Irving, records him as saying:

"So far as I know my own mind, I would not be in the remotest degree influenced in making nominations by motives arising from the ties of family or blood."—*Life of Washington*, Vol. V, p. 22.

Then again he declared his purpose,

"To discharge the duties of office with that impartiality and zeal for the public good which ought never to suffer connections of blood or friendship to mingle so as to have the least sway on decisions of a public nature."

This excellent rule of conduct is illustrated by the advice to his successor with regard to the transfer of his son, John Quincy Adams. After giving it as his decided opinion that the latter was the most valuable character we had abroad, and promising to be the ablest of all our diplomatic corps, Washington declares:

"If he was now to be brought into that line, or into any other public walk, I could not, upon the principle which has regulated my own conduct, disapprove of the caution which is hinted at in the letter."—*John Adams's Works*, Vol. VIII, p. 530.

Considering the importance of the rule it were better for the country if it had prevailed over parental regard and the extraordinary merits of the son.

In vindicating his conduct at a later day John Adams protested against what he called "the hypersuperlative virtue" of Washington, and insisted:

"A President ought not to appoint a man because he is his relation; nor ought he to refuse or neglect to appoint him for that reason."

With absolute certainty that the President is above all prejudice of family and sensitive to merit only, this rule is not unreasonable; but who can be trusted to apply it?

Jefferson developed and explained the true principles in a manner worthy of republican institutions. In a letter to a relation immediately after becoming President, he wrote:

"The public will never be made to believe that an appointment of a relation is made on the ground of merit alone, uninfluenced by family views, nor can they ever see with approbation offices, the disposal of which they intrust to their Presidents for public purposes, divided out as family property. Mr. Adams degraded himself infinitely by his conduct on this subject, as Washington had done himself the greatest honor. With two such examples to proceed by, I should be doubly inexcusable to err."—*Letter to George Jefferson*, March 27, 1801; *Jefferson's Works*, Vol. IV, p. 388.

After his retirement from the Presidency, in a letter to a kinsman, he asserts the rule again:

"Toward acquiring the confidence of the people,

the very first measure is to satisfy them of his disinterestedness, and that he is directing their affairs with a single eye to their good, and not to build up fortunes for himself and family, and especially that the officers appointed to transact their business, are appointed because they are the fittest men, not because they are his relations. So prone are they to suspicion, that where a President appoints a relation of his own, however worthy, they will believe that favor, and not merit, was the motive. I therefore laid it down as a law of conduct for myself, never to give an appointment to a relation."—*Letter to J. Garland Jefferson*, January 25, 1810; *Ibid.*, Vol. V, p. 498.

That statement is unanswerable. The elect of the people must live so as best to maintain their interests and to elevate the national sentiment. This can be only by an example of unselfish devotion to the public weal which shall be above suspicion. A President suspected of weakness for his relations is already shorn of strength.

In saying that his predecessor "degraded himself infinitely by his conduct on this subject," Jefferson shows the rigor of his requirement. Besides the transfer of his son, John Quincy Adams, from one diplomatic mission to another, John Adams is responsible for the appointment of his son-in-law, Colonel Smith, as surveyor of the port of New York, and his wife's nephew, William Cranch, as chief justice of the circuit court of the District of Columbia—both persons of merit, and the former "serving through the war with high applause of his superiors." The public sentiment appears in the condemnation of these appointments. In refusing another of his relations, we have already seen that John Adams wrote: "You know it is impossible for me to appoint my own relations to anything without drawing forth a torrent of obloquy." But this torrent was nothing but the judgment of the American people unwilling that republican institutions at that early day should suffer.

Thus far John Adams stands alone. If any other President has made appointments from his own family, it has been on so petty a scale as not to be recognized in history. John Quincy Adams, when President, did not follow his father. An early letter to his mother fore-shadows a rule not unlike that of Jefferson:

"I hope, my ever dear and honored mother, that you are fully convinced from my letters, which you have before this received, that upon the contingency of my father's being placed in the first magistracy, I shall never give him any trouble by solicitation for office of any kind. Your late letters have repeated so many times that I shall in that case have nothing to expect, that I am afraid you have imagined it possible that I might form expectations from such an event. I had hoped that my mother knew me better; that she did me the justice to believe that I have not been so totally regardless or forgetful of the principles which my education had instilled, nor so totally destitute of a personal sense of delicacy as to be susceptible of a wish tending in that direction."—*John Adams's Works*, Vol. VIII, pp. 529, 530, note.

To Jefferson's sense of public duty John Quincy Adams added the sense of personal

delicacy, both strong, against such appointment. To the irresistible judgment against this abuse, a recent moralist, of lofty nature, Theodore Parker, imparts new expression when he says, "It is a dangerous and unjust practice." (*Historic Americans*, p. 211.) This is simple and monitory.

PRESIDENTIAL APOLOGIES FOR NEPOTISM.

Without the avalanche of testimony against this presidential pretension it is only necessary to glance at the defenses sometimes set up; for such is the insensibility bred by presidential example, that even this intolerable outrage is not without voices, speaking for the President. Sometimes it is said that his salary being far from royal, the people will not scan closely an attempt to help relations, which, being interpreted, means that the President may supplement the pettiness of his salary by the appointing power. Let John Adams, who did not hesitate to bestow office upon a few relations of unquestioned merit, judge this pretension. I quote his words:

"Every public man should be honestly paid for his services. But he should be restrained from every *perquisite* not known to the laws, and he should make no claims upon the gratitude of the public, nor ever confer an office within his patronage upon a son, a brother, a friend, upon pretense that he is not paid for his services by the profits of his office."—*Letter to John Jebb*, August 21, 1785; *Works*, Vol. IX, p. 535.

It is impossible to deny the soundness of this requirement and its completeness as an answer to one of the apologies.

Sometimes the defender is more audacious, insisting openly upon the presidential prerogative without question, until we seem to hear in aggravated form the obnoxious cry, "To the victor belong the spoils." I did not suppose that this old cry could be revived in any form; but since it is heard again, I choose to expose it, and here I use the language of Madison, whose mind wisdom has illumined so much of constitutional duty. In his judgment the pretension was odious, "that offices and emoluments were the spoils of victory, *the personal property* of the successful candidate for the Presidency," and he adds in words not to be forgotten at this moment:

"The principle if avowed without the practice, or practiced without the avowal, could not fail to degrade any Administration—both together completely so."—*Letter to Edward Cole*, August 29, 1834. *Letters and Writings*, Vol. IV, p. 355.

This is strong language. The rule in its early form could not fail to degrade any Administration. But now this degrading rule is extended, and we are told that to the President's family belong the spoils.

Another apology, vouchsafed even on this floor, is, that if the President cannot appoint his relations they alone of all citizens are excluded from office, which, it is said, should not be. But is it not for the public good that they should be excluded? Such was the wise

judgment of Jefferson, and such is the testimony from another quarter. That eminent prelate, Bishop Butler, who has given to English literature one of its most masterly productions, known as "Butler's Analogy," after his elevation to the see of Durham with its remarkable patronage, was a self-denying with regard to his family that a nephew said to him, "Methinks, my lord, it is a misfortune to be related to you." Golden words of honor for the English bishop! But none such have been earned by the American President.

Assuming that in case of positive merit designating a citizen for a particular post the President might appoint a relation, it would be only where the merit was so shining that his absence would be noticed. At least it must be such as to make the citizen a candidate without regard to family. But no such merit is attributed to the beneficiaries of our President, some of whom have done little but bring scandal upon the public service. At least one is tainted with fraud, and another, with the commission of the Republic abroad, has been guilty of indiscretions inconsistent with his trust. Appointed originally in open defiance of republican principles, they have been retained in office after their unfitness became painfully manifest. By the testimony before a congressional committee, one of these, a brother-in-law, was implicated in bribery and corruption. It is said that at last, after considerable delay, the President has consented to his removal.

Here I leave for the present this enormous un-republican pretension, waiting to hear if it can again find an apologist. Is there a single Senator who will not dismiss it to judgment?

GIFT-TAKING OFFICIALLY COMPENSATED.

From one typical abuse I pass to another. From a dropsical nepotism swollen to elephantiasis, which nobody can defend, I pass to gift-taking, which with our President has assumed an unprecedented form. Sometimes public men even in our country have taken gifts, but it is not known that any President before has repaid the patron with office. For a public man to take gifts is reprehensible; for a President to select Cabinet counselors and other officers among those from whom he has taken gifts is an anomaly in republican annals. Observe, sir, that I speak of it gently, unwilling to exhibit the indignation which such a presidential pretension is calculated to arouse. The country will judge it, and blot it out as an example.

There have been throughout history corrupt characters in official station, but, whether in ancient or modern times, the testimony is constant against the taking of gifts, and nowhere with more force than in our Scriptures, where it is said, "Thou shalt not wrest judgment, thou shalt not respect persons, *neither take a gift*; for a gift doth blind the eyes of the

wise." (Deuteronomy, XVI, 19.) Here is the inhibition and also the reason, which slight observation shows to be true. Does not a gift blind the eyes of the wise? The influence of gifts is represented by Plutarch in the life of a Spartan king:

"For he thought those ways of intrapping men by gifts and presents, which other kings use, dishonest and inartificial; and it seemed to him to be the most noble method and most suitable to a king to win the affections of those that came near him by personal intercourse and agreeable conversation, since between a friend and a mercenary the only distinction is, that we gain the one by our character and conversation and the other by our money."—*Plutarch's Lives; Clough's Edition; Vol. IV, p. 479.*

What is done under the influence of gift is mercenary; but whether from ruler to subject or from subject to ruler, the gift is equally pernicious. An ancient patriot feared "the Greeks bearing gifts," and these words have become a proverb, but there are Greeks bearing gifts elsewhere than at Troy. A public man can traffic with such only at his peril. At their appearance the prayer should be said, "Lead us not into temptation."

The best examples testify. Thus in the autobiography of Lord Brougham, posthumously published, it appears that at a great meeting in Glasgow £500 were subscribed as a gift to him for his public service, to be put in such form as he might think best. He hesitated. "It required," he records, "much consideration, as such gifts were liable to abuse." Not content with his own judgment, he assembled his friends to discuss it, "Lord Holland, Lord Erskine, Romilly and Baring," and he wrote Earl Grey, afterward Prime Minister, who replied: "Both Granville and I accepted a piece of plate from the Catholics in Glasgow, of no great value indeed, *after we were turned out*. If you still feel scruples, I can only add that it is impossible to err on the side of delicacy with respect to matters of this nature." It ended in his accepting a small gold inkstand.

In our country Washington keeps his lofty heights, setting himself against gift-taking as against nepotism. In 1785, while in private life, two years after he ceased to be commander-in-chief of our armies and four years before he became President, he could not be induced to accept a certain amount of canal stock offered him by the State of Virginia, as appears in an official communication;

"It gives me great pleasure to inform you that the Assembly, without a dissenting voice, complimented you with fifty shares in the Potomac Company, and one hundred in the James River Company."—*Washington's Writings, Vol. IX, p. 83; Letter of Benjamin Harrison, January 6, 1775.*

Fully to appreciate the reply of Washington it must be borne in mind that, according to Washington Irving, his biographer, "Some degree of economy was necessary, for his financial affairs had suffered during the war,

and the products of his estate had fallen off." But he was not tempted. Thus he wrote:

"How would this matter be viewed by the eye of the world, and what would be its opinion when it comes to be related that George Washington accepted \$20,000? Under whatever pretense, and however customarily these gifts are made in other countries, if I accepted this should I not henceforward be considered as a dependent? I never for a moment entertained the idea of accepting it."—*Ibid., p. 83. Letter to Benjamin Harrison, January 22, 1785.*

How admirably he touches the point when he asks, "If I accepted this, should I not henceforward be considered as a dependent?" According to our Scripture the gift blinds the eyes; according to Washington it makes the receiver a dependent. In harmony with this sentiment was his subsequent refusal when President, as is recorded by an ingenious writer:

"He was exceedingly careful about committing himself, *would receive no favors of any kind*, and scrupulously paid for everything. A large house was set apart for him on Ninth street, on the grounds now covered by the Pennsylvania University, *which he refused to accept*."—*Colonel Forney's Anecdotes.*

By such instances brought to light recently, and shining in contrast with our times, we learn to admire anew the virtue of Washington.

It would be easy to show how in all ages the refusal of gifts has been recognized as the sign of virtue, if not the requirement of duty. The story of St. Louis of France is beautiful and suggestive. Leaving on a crusade he charged the Queen Regent, who remained behind, "not to accept presents for herself or her children." Such was one of the injunctions by which this monarch, when far away on a pious expedition, impressed himself upon his country.

My own strong convictions on this presidential pretension were aroused in a conversation which it was my privilege to enjoy with John Quincy Adams, as he sat in his sick-chamber at his son's house in Boston, a short time before he fell at his post of duty in the House of Representatives. In a voice trembling with age and with emotion, he said that no public man could take gifts without peril, and he confessed that his own judgment had been quickened by the example of Count Romanzoff, the eminent chancellor of the Russian empire, who, after receiving costly gifts from foreign sovereigns with whom he had negotiated treaties, felt a difficulty of conscience in keeping them, and at last handed over their value to a hospital, as he related to Mr. Adams, then minister at St. Petersburg. The latter was impressed by this Russian example, and through his long career, as minister abroad, Secretary of State, President, and Representative, always refused gifts, unless a book or some small article in its nature a token and not a reward or bribe.

The Constitution testifies against the taking of gifts by officers of the United States, when

it provides that no person holding any office of profit or trust under them shall, without the consent of the Congress, accept of any present or emolument, from any king, prince, or foreign State. The acceptance of a present or emolument from our own citizens was left without constitutional inhibition, to be constrained by the public conscience and the just aversion to any semblance of bargain and sale or bribery in the public service.

The case of our President is exceptional. Notoriously he has taken gifts while in the public service, some at least after he had been elected President, until "the Galena tanner of a few hundred dollars a year," to borrow the words of my colleague, [Mr. Wilson,] one of his supporters, is now rich in houses, lands, and stock, above his salary, being probably the richest President since George Washington. Notoriously he has appointed to his Cabinet several among these "Greeks bearing gifts," without seeming to see the indecorum, if not the indecency of the transaction. At least two if not three of these Greeks, having no known position in the Republican party or influence in the country, have been selected as his counselors in national affairs, and heads of great departments of Government. Again do I repeat the words of our Scriptures, "A gift doth blind the eyes of the wise." Again, the words of Washington, "If I accepted this should I not henceforward be considered a dependent?"

Nor does the case of the first Secretary of State differ in character from the other three. The President, feeling under personal obligation to Mr. Washburne for important support, gave him a complimentary nomination, with the understanding that after confirmation he should forthwith resign. I cannot forget the indignant comment of the late Mr. Fessenden as we passed out of the Senate Chamber, immediately after the confirmation: "Who," said he, "ever heard before of a man nominated Secretary of State merely as a compliment?" But this is only another case of the public service subordinated to personal considerations.

Not only in the Cabinet but in other offices there is reason to believe that the President has been under the influence of patrons. Why was he so blind to Thomas Murphy? The custom-house of New York, with all its capacity as a political engine, was handed over to this agent, whose want of recognition in the Republican party was outbalanced by presidential favor, and whose gifts have become notorious. And when the demand for his removal was irresistible the President accepted his resignation with an effusion of sentiment natural toward a patron, but without justification in the character of the retiring officer.

Shakspeare, who saw intuitively the springs

of human conduct, touches more than once on the operation of the gift. "I'll do thee service for so good a gift," said Gloster to Warwick. Then, again, how truly spoke the lord, who said of Timon,

———"no gift to him
But breeds the giver a return exceeding
All use of quittance;"

and such were the returns made by the President.

Thus much for gift-taking, reciprocated by office. The instance is original and without precedent in our history.

THE PRESIDENCY A PERQUISITE.

I have now completed the survey of the two typical instances—nepotism and gift-taking officially compensated—in which we are compelled to see the President. In these things he shows himself. Here is no portrait drawn by critic or enemy; it is the original who stands forth, saying, "Behold the generosity I practice to my relations at the expense of the public service, also the gifts I take, and then my way of rewarding the patrons always at the expense of the public service." In this open exhibition we see how the Presidency, instead of a trust, has become a perquisite. Bad as are these two capital instances, and important as is their condemnation, so that they may not become a precedent, I dwell on them now as illustrating character. A President that can do such things and not recognize at once the error he has committed, shows that supereminence of egotism under which Constitution, International Law, and municipal law, to say nothing of Republican Government in its primary principles, are all subordinated to the presidential will, and this is personal government. Add an insensibility to the honest convictions of others, and you have a natural feature of this pretension.

INSTANCES.

Lawyers cite what are called "leading cases." A few of these show the presidential will in constant operation with little regard to precedent or reason, so as to be a caprice, if it were not a pretension. Imitating the Popes in nepotism, the President has imitated them in ostentatious assumption of infallibility.

THE PRESIDENT'S INAUGURAL ADDRESS.

Other Presidents have entered upon their high office with a certain modesty and distrust. Washington in his Inaugural address declared his "anxieties," also his sense of "the magnitude and difficulty of the trust"—"awakening a distrustful scrutiny into his qualifications." Jefferson in his famous Inaugural, so replete with political wisdom, after declaring his "sincere consciousness that the task is above his talents," says:

"I approach it with those anxious and awful sentiments which the greatness of the charge and the

weakness of my powers so justly inspire," * * * "and I humble myself before the magnitude of the undertaking."

Our soldier, absolutely untried in civil life, entirely a new man, entering upon the sublimest duties, before which Washington and Jefferson had shrunk, said in his Inaugural: "The responsibilities of the position I feel, but *accept them without fear*." Great predecessors, with ample preparation for the responsibilities, had shrunk back with fear. He had none. Either he did not see the responsibilities, or the Cæsar began to stir in his bosom.

SELECTION OF HIS CABINET.

Next after the Inaugural address, his first official act was the selection of his Cabinet, and here the general disappointment was equalled by the general wonder. As the President was little known except from the victories which had commended him, it was not then seen how completely characteristic was this initial act. Looking back upon it we recognize the pretension by which all tradition, usage, and propriety were discarded, by which the just expectations of the party that had elected him were set at naught, and the safeguards of constitutional government were subordinated to the personal pretensions of One Man. In this Cabinet were persons having small relations with the Republican party, and little position in the country, some absolutely without claims from public service, and some absolutely disqualified by the gifts they had made to the President. Such was the political phenomenon presented for the first time in American history, while reported sayings of the President showed the simplicity with which he acted. To a committee he described his Cabinet as his "family" with which no stranger could be allowed to interfere, and to a member of Congress he announced that he selected his Cabinet "to please himself and nobody else"—being good rules unquestionably for the organization of a household and the choice of domestics, to which the Cabinet seems to have been likened. This personal government flowered in the Navy Department, where a gift-bearing Greek was suddenly changed to a Secretary. No less a personage than the grand old Admiral, the brave, yet modest Farragut, was reported as asking, on the 5th of March, the very day when the Cabinet was announced, in unaffected ignorance, "Do you know anything of Borie?" And yet this unobscure citizen, bearer of gifts to the President, was constituted the naval superior of that historic character. If others were less obscure, the Cabinet as a unit was none the less notable as the creature of presidential will where chance vied with favoritism as arbiter.

All this is so strange when we consider the

true idea of a Cabinet. Though not named in the Constitution, yet by virtue of unbroken usage among us, and in harmony with constitutional governments everywhere, the Cabinet has become a constitutional body, hardly less than if expressly established by the Constitution itself. Its members, besides being the heads of great Departments, are the counselors of the President, with the duty to advise him of all matters within the sphere of his office, being nothing less than the great catalogue in the preamble of the Constitution, beginning with duty to the Union, and ending with the duty to secure the blessings of liberty to ourselves and our posterity. Besides undoubted fitness for these exalted responsibilities as head of a Department, and as counselor, a member should have such acknowledged position in the country that his presence inspires confidence and gives strength to the administration. How little these things were regarded by the President need not be said.

Unquestionably the President has a discretion in the appointment of his Cabinet, but it is a constitutional discretion, regulated by regard for the interests of the country, and not by mere personal will; by statesmanship and not by favoritism. A Cabinet is a national institution and not a presidential perquisite, unless our President is allowed to copy the example of imperial France. In all constitutional governments, the Cabinet is selected on public reasons, and with a single eye to the public service; it is not in any respect the "family" of the sovereign, nor is it "to please himself and nobody else." English monarchs have often accepted statesmen personally disagreeable when they had become representatives of the prevailing party, as when George III, the most obstinate of rulers, accepted Fox, and George IV, as prejudiced as his father was obstinate, accepted Canning, each bringing to the service commanding abilities. It is related that the Duke of Wellington, with military frankness, encountered the personal objections of the King in the latter case by saying, "Your Majesty is the sovereign of England, with duties to your people far above any to yourself; and these duties render it imperative that you should at this time employ the abilities of the country." By such instances in a constitutional government is the Cabinet fixed as a constitutional and not a personal body. It is only by some extraordinary hallucination that the President of a Republic dedicated to constitutional liberty can imagine himself invested with a transforming prerogative above that of any English sovereign, by which his counselors are changed from public officers to personal attendants, and a great constitutional body, in which all citizens have a common interest, is made a perquisite of the President.

APPROPRIATION OF THE OFFICES.

Marked among the spectacles which followed, and kindred in character with the appropriation of the Cabinet as individual property, was the appropriation of the offices of the country, to which I refer in this place even at the expense of repetition. Obscure and underserving relations, marriage connections, personal retainers, Army associates, friends of unknown fame and notable only as personal friends or friends of his relations, evidently absorbed the presidential mind during those months of obdurate reticence when a generous people supposed the Cabinet to be the all-absorbing thought. Judging by the facts, it would seem as if the chief and most spontaneous thought was how to exploit the appointing power to his own personal behoof. At this period the New York custom-house presented itself to the imagination, and a letter was written consigning a military dependent to the generosity of the collector. You know the rest. Dr. Johnson, acting as executor in selling the distillery of Mr. Thrale, said, "We are not selling a parcel of tubs and vats; we are selling the potentiality of growing rich beyond the dreams of avarice." If the President did not use the sounding phrase of the great English moralist, it is evident that his military dependent felt in that letter all the "potentiality" advertised in the earlier case, and acted accordingly.

It is not necessary to say that in these things there was departure from the requirements of law, whether in the appointment of his Cabinet or of personal favorites, even in return for personal benefactions, although it was plainly unrepugnant, offensive, and indefensible; but this same usurping spirit, born of an untutored egotism, brooking no restraint, showed itself in another class of transactions, to which I have already referred, where law and Constitution were little regarded.

PRESIDENTIAL ASSAULT ON SAFEGUARD OF THE TREASURY.

First in time and very indigenous in character was the presidential attempt against one of the sacred safeguards of the Treasury, the original workmanship of Alexander Hamilton, being nothing less than the "act to establish the Treasury Department." Here was an important provision that no person appointed to any office instituted by the act "shall directly or indirectly be concerned or interested in carrying on the business of trade or commerce," and any person so offending was declared guilty of a high misdemeanor, and was to forfeit to the United States \$3,000, with removal from office, and forever thereafter to be incapable of holding any office under the United States. (*Statutes-at-Large*, Vol. I, p. 67, September 2, 1789.) From the beginning this statute had stood unquestioned, until it had

acquired the character of fundamental law. And yet the President, by a special message dated March 6, 1869, being the second day of his first service as a civilian, asked Congress to set it aside so as to enable Mr. Stewart, of New York, already nominated and confirmed as Secretary of the Treasury, to enter upon the duties of this office. This gentleman was unquestionably the largest merchant who had transacted business in our country, and his imports were of such magnitude as to clog the custom house. If the statute was anything but one of those cob-webs which catch the weak but yield to the rich, this was the occasion for it, and the President should have yielded to no temptation against it. The indecorum of his effort stands out more painfully when it is considered that the merchant for whom he wished to set aside a time-honored safeguard was one of those from whom he had received gifts.

Such was the accommodating disposition of the Senate, that a bill exempting the presidential benefactor from the operation of the statute was promptly introduced, and even read twice, until, as it seemed about to pass, I felt it my duty to object to its consideration, saying, according to the *Globe*, "I think it ought to be most profoundly considered before it is acted on by the Senate." This objection caused its postponement. The country was startled. By telegraph the general anxiety was communicated to Washington. At the next meeting of the Senate, three days later, the President sent a message requesting permission to withdraw the former message. But he could not withdraw the impression produced by such open disregard of the law to promote his personal desire.

ILLEGAL MILITARY RING AT EXECUTIVE MANSION.

The military spirit which failed in the effort to set aside a fundamental law as if it were a transient order was more successful at the Executive Mansion, which at once assumed the character of military headquarters. To the dishonor of the civil service and in total disregard of precedent, the President surrounded himself with officers of the Army, and substituted military forms for those of civil life, detailing for this service members of his late staff. The earliest public notice of this military occupation appeared in the *Daily Morning Chronicle* of March 8, 1869, understood to be the official organ of the Administration:

"President Grant was not at the White House yesterday, but the following members of his staff were occupying the Secretaries' rooms and acting as such: Generals Babcock, Porter, Badeau, and Dent."

This is to be regarded not only in its strange blazonry of the presidential pretension, but also as the first apparition of that minor *military ring* in which the President has lived ever since.

Thus installed, Army officers became secretaries of the President, delivering his messages to both Houses of Congress, and even authenticating presidential acts as if they were military orders. Here, for instance, is an official communication:

EXECUTIVE MANSION, March 15, 1869.

TO ROBERT MARTIN DOUGLAS, esq.:

SIR: You are hereby appointed Assistant Private Secretary to the President, to date from March 15, 1869.

By order of the President.

HORACE PORTER.

Brevet Brigadier General, Secretary.

Mark the words, "by order of the President," and then the signature, "Horace Porter, Brevet Brigadier General, Secretary."

The presidential pretension which I exhibit on the simple facts, besides being of doubtful legality to say the least, was of evil example, demoralizing alike to the military and civil service, and an undoubted reproach to republican institutions in that primary principle, announced by Jefferson in his first Inaugural Address, "the supremacy of the civil over the military authority." It seemed only to remain that the President should sign his messages "Commander-in-Chief of the Army of the United States." Evidently a new order of things had arrived.

Observe the mildness of my language when I call this presidential pretension of doubtful legality. The law shall speak for itself. Obviously it was the same for our military President as for his predecessors, and it was recent also:

"The President is hereby authorized to appoint a private secretary at an annual salary of \$3,500, an assistant secretary at an annual salary of \$2,500, a short-hand writer at an annual salary of \$2,500, a clerk of pardons at an annual salary of \$2,000, and three clerks of the fourth class."—*Statutes at Large*, Vol. XIV, p. 206.

It cannot be doubted that this provision was more than ample, for Congress by act of July 23, 1868, repealed so much as authorized a clerk of pardons, and also one of the three clerks of the fourth class. Therefore, there could be no necessity for a levy of soldiers to perform the duties of secretaries, and the conduct of the President can be explained only by the supposition that he preferred to be surrounded by Army officers rather than civilians, continuing in the Executive Mansion the traditions of headquarters—all of which, though agreeable to him and illustrating his character, was an anomaly and a scandal.

In extenuation of this indefensible pretension, we have been reminded of two things: first, that according to the record Washington sent his first message by General Knox, when in fact General Knox held no military office at that time, but was actually Secretary of War; and secondly, that the military officers now occupying the Executive Mansion, are detailed for this service without other salary

than that of their grade. As the Knox precedent is moonshine, the minor military ring can be vindicated only as a "detail" for service in the Executive Mansion.

Here again the law shall speak. By act of Congress of March 3, 1863, it is provided that "details to special service shall only be made with the consent of the commanding officer of forces in the field;" but this, it will be seen, refers to a state of war. Congress by act of July 16, 1866, authorized the President "to detail from the Army all the officers and agents of this Bureau." [for the relief of Freedmen and Refugees.] (*Statutes-at-Large*, Vol. XIV, p. 174;) also by act of July 28, 1868, to "detail" officers of the Army, not exceeding twenty at any time, to act as President, Superintendent, or Professor in certain colleges. (*Ibid.*, Vol. XIV, p. 336.) And then again by act of July 15, 1870, it provided that "any retired officer may, on his own application, be detailed to serve as professor in any college." (*Ibid.*, Vol. XVI, p. 320.) As there is no other statute authorizing details, this exceptional transfer of Army officers to the Executive Mansion can be maintained only on some undefined prerogative.

The presidential pretension, which is continued to the present time, is the more unnatural when it is considered that there are at least three different statutes in which Congress has shown its purpose to limit the employment of military officers in civil service. As long ago as July 5, 1838, it was positively provided that no Army officers should be separated from their regiments and corps "for employment on civil works of internal improvement or be allowed to engage in the service of incorporated companies;" nor any line officer to be acting paymaster or disbursing agent for the Indian department, "if such extra employment require that he be separated from his regiment or company or otherwise interfere with the performance of the military duties proper." (*Statutes at Large*, Vol. V, p. 260.) Obviously the will of Congress is here declared that officers should not be allowed to leave their posts for any service which might interfere with the performance of the military duties proper. This language is explicit. Then came the act of March 30, 1867, which provides that "any officer of the Army or Navy of the United States who shall, after the passage of this act, accept or hold any appointment in the diplomatic or consular service of the Government, shall be considered as having resigned his said office, and the place held by him in the military or naval service shall be deemed and taken to be vacant." (*Ibid.*, Vol. XV, p. 125.) To a considerate and circumspect President who recognized the law in its spirit as well as its letter this provision, especially when reinforced by the earlier statute, would have been a rule of action in anal-

ogous cases, and therefore an insurmountable obstacle to a pretension which takes Army officers from their proper duties and makes them presidential secretaries. A later statute adds to the obstacle. By act of Congress of July 15, 1870, it is provided—

"That it shall not be lawful for any officer of the Army of the United States on the active list to hold any civil office, whether by election or appointment, and any such officer accepting or exercising the functions of a civil office shall at once cease to be an officer of the Army, and his commission shall be vacated thereby."—*Statutes-at-Large*, Vol. XVI, p. 319.

It is difficult to imagine anything plainer than these words. No Army officer not on the retired list can hold any civil office; and then to enforce the inhibition, it is provided that in "accepting or exercising the functions" of such office the commission is vacated. Now, the Blue Book, which is our political almanac, has under the head of "Executive Mansion," a list of "secretaries and clerks," beginning as follows: "Secretaries, General F. T. Dent, General Horace Porter, General O. E. Babcock," when, in fact, there are no such officers authorized by law. Then follow the "Private Secretary," "Assistant Private Secretary," and "Executive Clerks," authorized by law, but placed below those unauthorized. Nothing is said of being detailed for this purpose. They are openly called "Secretaries," which is a title of office; and since it is at the Executive Mansion, it must be a civil office; and yet, in defiance of law, these Army officers continue to exercise its functions, and some of them enter the Senate with messages from the President. The apology that they are "detailed" for this service is vain; no authority can be shown for it. But how absurd to suppose that a rule against the exercise of a civil office can be evaded by a "detail." If it may be done for three Army officers why not for three dozen? Nay more, if the civil office of Secretary at the Executive Mansion may be created without law, why not some other civil office? And what is to hinder the President from surrounding himself not only with Secretaries, but with messengers, stewards, and personal attendants, even a body guard, all detailed from the Army? Why may he not enlarge the military circle at the Executive Mansion indefinitely? If the President can be justified in his present course, there is no limit to his pretensions in open violation of the statute. Here the Blue Book testifies again, for it records the names of the "Secretaries" in their proper places as Army officers, thus presenting them as holding two incompatible offices.

I dismiss this transaction as another instance of presidential pretension which, in the interest of republican government, should be arrested.

UNREPUBLICAN SUBORDINATION OF THE WAR DEPARTMENT TO THE GENERAL-IN-CHIEF.

From the Executive Mansion, pass now to

the War Department, and there we witness the same presidential pretensions by which law, usage, and correct principle are lost in the will of One Man. The supremacy of the civil power over the military is typified in the Secretary of War, a civilian, from whom Army officers receive orders. But this beautiful rule, with its lesson of subordination to the military was suddenly set aside by our President, and the Secretary of War degraded to be a clerk. The 5th of March witnessed a most important order from the President reconstituting the military departments covering the southern States and placing them under officers of his choice, which purported to be signed by the Adjutant General, by command of the General of the Army, but actually ignoring the Secretary of War. Three days later witnessed another order professing to proceed from the President, whereby in express terms the War Department was subordinated to the General-in-Chief, being William T. Sherman, who at the time was promoted to that command. Here are the words: "The chiefs of staff, corps, departments, and bureaus will report to and act under the immediate orders of the General commanding the Army." This act of revolution, exalting the military power above the civil, showed instant fruits in an order of the General, who, upon assuming command, proceeded to place the several bureau officers of the War Department upon his military staff, so that for the time there was a military dictatorship with the President as its head not merely in spirit, but in actual form. By and by John A. Rawlins, a civilian by education and a respecter of the Constitution, became Secretary of War, and, though bound to the President by personal ties, he said "check to the King." By General Order, issued from the War Department March 26, 1869, and signed by the Secretary of War, the offensive order was rescinded, and it was enjoined that "all official business which by law or regulation requires the action of the President or Secretary of War will be submitted by the chiefs of staff, corps, departments, and bureaus to the Secretary of War." Public report said that this restoration of the civil power to its rightful supremacy was not obtained without an intimation of resignation on the part of the Secretary.

THE SECRETARY OF THE NAVY BY DEPUTY.

Kindred in character was the unprecedented attempt to devolve the duties of the Navy Department upon a deputy, so that orders were to be signed "A. E. Borie, Secretary of the Navy, per D. D. Porter, Admiral," as appears in the official journal of May 11, 1869, or, according to another instance, "Daniel D. Porter, Vice Admiral, for the Secretary of the Navy." The obvious object of this illegal arrangement was to enable the incumbent, who stood high on the list of gift-makers, to

be Secretary without being troubled with the business of the office. Notoriously he was an invalid unused to public business, who, according to his own confession, modestly pleaded that he could not apply himself to work more than an hour a day; but the President soothed his anxieties by promising a deputy who would do the work. And thus was this great Department made a plaything; but public opinion and other counsels arrested the sport. Here I mention that when this incumbent left his important post it is understood that he was allowed to nominate his successor.

PRESIDENTIAL PRETENSION AT THE INDIAN BUREAU.

At the same time occurred the effort to absorb the Indian Bureau into the War Department, changing its character as part of the civil service. Congress had already repudiated such an attempt, but the President, not disheartened by legislative failure, sought to accomplish it by manipulation and indirection. First elevating a member of his late staff to the head of the bureau, he then by a military order, dated May 7, 1869, proceeded to detail for the Indian service a long list of "officers left out of their regimental organization by the consolidation of the infantry regiments," assuming to do this by authority of the act of Congress of June 30, 1834, which, after declaring the number of Indian agents and how they shall be appointed, provides that "it shall be competent for the President to require any military officer of the United States to execute the duties of Indian agent." (*Statutes-at-Large* Vol. IV, p. 736.) Obviously this provision had reference to some exceptional exigency and can be no authority for the general substitute of military officers instead of civilians confirmed by the Senate and bound with sureties for the faithful discharge of their duties. And yet upward of sixty Army officers were in this way foisted into the Indian service. The act of Congress of July 15, 1870, already quoted, creating an incompatibility between military service and civil, was aimed partly at this abuse, and these officers ceased to be Indian agents. But this attempt is another illustration of presidential pretension.

MILITARY INTERFERENCE AT ELECTIONS.

Then followed military interference in elections, and the repeated use of the military in aid of the Revenue Law under circumstances of doubtful legality, until at last General Halleck and General Sherman protested; the former, in his report of October 24, 1870, saying, "I respectfully repeat the recommendation of my last annual report, that military officers should not interfere in local civil difficulties, unless called out in the manner provided by law;" and the latter, in his report of November 10, 1870, "I think the soldiers ought not to be expected to make individual arrests, or to do

any act of violence except in their capacity as a *posse comitatus* duly summoned by the United States marshal and acting in his personal presence." And so this military pretension, invading civil affairs, was arrested.

PRESIDENTIAL PRETENSION AGAIN.

Meanwhile this same presidential usurpation subordinating all to himself, became palpable in another form. It was said of Gustavus Adolphus that he drilled his Diet to vote at the word of command. Such at the outset seemed to be the presidential policy with regard to Congress. We were to vote as he desired. He did not like the tenure of office act, and during the first month of his administration his influence was felt in both branches of Congress to secure its repeal—all of which seemed more astonishing when it was considered that he entered upon his high trust with the ostentatious avowal that all laws would be faithfully executed whether they met his approval or not, and that he should have no policy to enforce against the will of the people. That beneficent statute which he had upheld in the impeachment of President Johnson was a limitation on the presidential power of appointment, and he could not brook it. Here was plain interference with his great perquisite of office, and Congress must be coerced to repeal it. The House acted promptly and passed the desired bill. In the Senate there was delay and a protracted debate, during which the official journal announced:

"The President, in conversation with a prominent Senator a few days since, declared that it was his intention not to send in any nomination until definite action was taken by Congress upon the tenure-of-office bill."

Here I venture to add that a member of the Cabinet pressed me to withdraw my opposition to the repeal, saying that the President felt strongly upon it. I could not understand how a Republican President could consent to weaken the limitations upon the Executive, and so I said, adding, that in my judgment he should rather reach forth his hands and ask to have them tied. Better always a government of law than of men.

PRESIDENTIAL INTERFERENCE IN LOCAL POLITICS.

In this tyrannical spirit, and in the assumption of his central imperialism, he has interfered with political questions and party movements in distant States, reaching into Missouri and then into New York to dictate how the people should vote, then manipulating Louisiana through a brother-in-law appointed collector. With him a custom-house seems less a place for the collection of revenue than an engine of political influence through which his dictatorship may be maintained.

Authentic testimony places this tyrannical abuse beyond question. New York is the scene and Thomas Murphy, collector, the

Presidential lieutenant. Nobody doubts the intimacy between the President and the collector, who are bound in friendship by other ties than those of sea side neighborhood. The collector was determined to obtain the control of the Republican State convention, and appealed to a patriot citizen for help, who replied that in his judgment "it would be a delicate matter for office-holders to undertake to dictate to the associations in the different districts who should go from them to the State convention, and still more delicate to attempt to control the judgments of men employed in the different departments as to the best men to represent them." The brave collector lieutenant of the President said "that he should not hesitate to do it; that it was General Grant's wish, and General Grant was the head of the Republican party, and should be authority on this subject." (*New York Custom-House Investigation*, Vol. 1, p. 581. Testimony of General Palmer.) Plainly, the Republican party was his perquisite, and all Republicans were to do his bidding. From the same testimony it appears that the President, according to the statement of his lieutenant, "wanted to be represented in the convention," being the Republican State convention of New York; "wanted to have his friends there in the convention;" and the presidential lieutenant, being none other than the famous collector, offered to appoint four men in the custom-house if the witness would secure the nomination of certain persons as delegates from his district, and he promised "that he would immediately send their names on to Washington and have them appointed." (*Ibid.*, p. 626. Testimony of William Atkinson.) And so the presidential dictatorship was administered. Offices in the custom house were openly bartered for votes in the State convention. Here was intolerable tyranny, with demoralization like that of the slave market. But New York is not the only scene of this outrage. The presidential pretension extends everywhere; nor is it easy to measure the arrogance of corruption or the honest indignation it quickens into life.

PRESIDENTIAL CONTRIVANCE AGAINST ST. DOMINGO.

These presidential pretensions in all their variety, personal and military, with reckless indifference to law, naturally ripened in the contrivance, nursed in hot-house secrecy, against the peace of the island of St. Domingo—I say deliberately, against the peace of that island, for under the guise of annexing a portion there was menace to the Black Republic of Hayti. This whole business, absolutely indefensible from beginning to end, being wrong at every point, is the special and most characteristic product of the Administration, into which it infused and projected itself more than into anything else. In

this multiform disobedience we behold our President. Already I have referred to this contrivance as marking an epoch in presidential pretensions. It is my duty now to show its true character as a warning against its author.

A few weeks only after beginning his career as a civilian, and while occupied with military usurpations and the perquisites of office, he was tempted by overtures of Dominican plotters, headed by the usurper Baez and the speculator Cazneau, the first an adventurer, conspirator, and trickster, described by one who knows him well as "the worst man living of whom he has any personal knowledge," and the second, one of our own countrymen long resident on the island, known as disloyal throughout the war, and entirely kindred in character to Baez. Listening to these prompters, and without one word in Congress or in the press suggesting annexion of the island or any part of it, the President began his contrivance, and here we see abuse in every form and at every step, absolutely without precedent in our history.

The agent in this transaction was Orville E. Babcock, a young officer figuring in the Blue Book of the time as one of the unauthorized "secretaries" at the Executive Mansion, and also as a major of engineers. His published instructions under date of July 17, 1869, were simply to make inquiries; but the plot appears in a communication of the same date from the Secretary of the Navy, directed to the Seminole, a war-ship, with an armament of one eleven-inch gun and four thirty-two pounders, "to give him the moral support of its guns;" and this was followed by a telegraphic instruction to Key West for another war-ship "to proceed without a moment's delay to San Domingo City, to be placed at the disposal of General Babcock while on that coast." With such "moral support" the emissary of the President obtained from the usurper Baez that famous protocol stipulating the annexion of Dominica to the United States in consideration of \$1,500,000, which the young officer, fresh from the Executive Mansion, professed to execute as "Aid de-Camp of his Excellency General Ulysses S. Grant, President of the United States," as if, instead of Chief Magistrate of a Republic, the President were a military chieftain with his foot in the stirrup, surrounded by a military staff. The same instrument contained the unblushing stipulation that "his Excellency General Grant, President of the United States, promises *privately* to use all his influence in order that the idea of annexing the Dominican Republic to the United States may acquire such a degree of popularity among the members of Congress as will be necessary for its accomplishment," which is simply that the President shall become a lobbyist to bring about the annexation by

Congress. Such was the strange beginning, illegal, unconstitutional, and offensive in every particular, but showing the presidential character.

On his return to Washington the young officer, who had assumed to be "Aid-de-Camp of his Excellency General Ulysses S. Grant" and had bound the President to become a lobbyist for a wretched scheme, instead of being disowned and reprimanded, was sent back to the usurper with instructions to negotiate two treaties, one for the annexation of the half island of Dominica and the other for the lease of the bay of Samana. By the Constitution of the United States "ambassadors and other public ministers" are appointed by the President, by and with the advice and consent of the Senate; but our Aid-de-Camp had no such commission. Presidential prerogative empowered him, nor was naval force wanting. With three war ships at his disposal he entered upon negotiation with Baez and obtained the two treaties. Naturally force was needed to keep the usurper in power while he sold his country, and naturally such a transaction required a presidential Aid-de-Camp unknown to Constitution or law, rather than a civilian duly appointed according to both.

PRESIDENTIAL VIOLATIONS OF CONSTITUTIONAL AND INTERNATIONAL LAW.

On other occasions it has been my solemn duty to expose the outrages which attended this hateful business, where at each step we are brought face to face with presidential pretension; first, in the open seizure of the war powers of the Government, as if he were already Cæsar, forcibly intervening in Dominica and menacing war to Hayti, all of which is proved by the official reports of the State Department and Navy Department, being nothing less than war by kingly prerogative in defiance of that distinctive principle of republican government, first embodied in our Constitution, which places the war powers under the safeguard of the legislative branch, making any attempt by the President "to declare war" an undoubted usurpation. But our President, like Gallio, cares for none of these things. The open violation of the Constitution was naturally followed by a barefaced disregard of that equality of nations, which is the first principle of International Law, as the equality of men is the first principle of the Declaration of Independence; and this sacred rule was set aside in order to insult and menace Hayti, doing unto the Black Republic what we would not have that Republic do unto us, nor what we would have done to any white Power. To these eminent and most painful presidential pretensions, the first adverse to the Constitution and the second adverse to International Law, add the imprisonment of an American citizen in Dominica by the presi-

dential confederate Baez for fear of his hostility to the treaty if he were allowed to reach New York, all of which was known to his subordinates, Babcock and Cazneau, and doubtless to himself. What was the liberty of an American citizen compared with the presidential prerogative? To one who had defied the Constitution, on which depends the liberty of all, and then defied International Law, on which depends the peace of the world, a single citizen immured in a distant dungeon was of small moment. But this is only an illustration. Add now the lawless occupation of the Bay of Samana for many months after the lapse of the Treaty, keeping the national flag flying there and assuming a territorial sovereignty which did not exist. Then add the protracted support of Baez in his usurped power to the extent of placing the national flag at his disposal, and girdling the island with our ships of war, all at immense cost and to the neglect of other service where the Navy was needed.

PRESIDENTIAL EFFORTS FOR THE CONTRIVANCE.

This strange succession of acts, which if established for a precedent would overturn Constitution and law, was followed by another class of presidential manifestations, being, first, an unseemly importunity of Senators during the pendency of the Treaty, visiting the Capitol as a lobbyist and summoning them to his presence in squads in obvious pursuance of the stipulation made by his Aid-de-Camp and never disowned by him, being intervention in the Senate, reinforced by all the influence of the appointing power, whether by reward or menace, all of which was unconstitutional in character as that warlike intervention on the island; and then, after debate in the Senate, when the treaty was lost on solemn vote, we were called to witness his self-willed effrontery in prosecuting the fatal error, returning to the charge in his Annual Message at the ensuing session, insisting upon his contrivance as nothing less than the means by which "our large debt abroad is to be ultimately extinguished," and gravely charging the Senate with "folly" in rejecting the treaty, and yet while making this astounding charge against a coördinate branch of Government, and claiming such astounding profits, he blundered geographically in describing the prize.

All this diversified performance, with its various eccentricity of effort, failed. The report of able commissioners transported to the island in an expensive war-ship ended in nothing. The American people rose against the undertaking and insisted upon its abandonment. By a message charged with Parthian shafts the President at length announced that he would proceed no further in this business. His senatorial partisans, being a majority of the Chamber, after denouncing those who had

exposed the business, arrested the discussion. In obedience to irrepressible sentiments, and according to the logic of my life, I felt it my duty to speak, but the President would not forgive me, and his peculiar representatives found me disloyal to the party which I had served so long and helped to found. Then was devotion to the President made the shibboleth of party.

WHERE WAS THE GRAND INQUEST OF THE NATION?

Such is a summary of the St. Domingo business in its characteristic features; but here are transgressions in every form—open violation of the Constitution in more than one essential requirement, open violation of International Law in more than one of its most beautiful principles, flagrant insult to the Black Republic with menace of war, complicity with the wrongful imprisonment of an American citizen, lawless assumption of territorial sovereignty in a foreign jurisdiction, employment of the national Navy to sustain a usurper, being all acts of substance, maintained by an agent calling himself “Aid-de Camp of Ulysses S. Grant, President of the United States,” and stipulating that his chief should play the lobbyist to help the contrivance through Congress, then urged by private appeals to Senators and the influence of the appointing power tyrannically employed by the presidential lobbyist, and finally urged anew in an Annual Message where undisguised insult to the Senate vies with absurdity in declaring prospective profits and with geographical ignorance. Such, in brief, is this multiform disobedience, where every particular is of such aggravation as to merit the most solemn judgment. Why the Grand Inquest of the nation, which brought Andrew Johnson to the bar of the Senate, should have slept on this conglomerate misdemeanor, every part of which was offensive beyond any technical offense charged against his predecessor, while it had a back-ground of nepotism, gift-taking officially compensated, and various presidential pretensions beyond all precedent—all this will be one of the riddles of American history, to be explained only by the extent to which the One Man Power had succeeded in subjugating the Government.

INDIGNITY TO THE AFRICAN RACE.

Let me confess, sir, that, while at each stage I have felt this tyranny most keenly, and never doubted that it ought to be arrested by impeachment, my feelings have been most stirred by the outrage to Hayti, which, besides being a wrong to the Black Republic, was an insult to the colored race not only abroad but here at home. How a Chief Magistrate with four millions of colored fellow-citizens could have done this thing passes comprehension. Did he suppose it would not be known? Did he imagine it could be hushed in official pigeon-

holes? Or was he insensible to the true character of his own conduct? The facts are indisputable. For more than two generations Hayti had been independent, enrolled under International Law to equality among nations, and since emancipation in our country, commended to us as an example of self-government, being the first in the history of the African race and the promise of the future. And yet our President, in his effort to secure that Naboth's vineyard on which he had set his eyes, not content with maintaining the usurper Baez in power, occupying the harbors of Dominica with war-ships, sent other war-ships, being none other than our most powerful monitor, the Dictator, with the frigate *Severn* as consort, and with yet other monitors in their train to strike at the independence of the Black Republic and to menace it with war. Do I err in any way, am I not entirely right when I say that here was unpardonable outrage to the African race? As one who for years has stood by the side of this much-oppressed people, sympathizing always in their woes and struggling for them, I felt the blow which the President dealt, and it became the more intolerable from the heartless attempts to defend it. Alas! that our President should be willing to wield the giant strength of the great Republic in trampling upon the representative Government of the African race. Alas! that he did not see the infinite debt of friendship, kindness, and protection due to that people, so that instead of monitors and war-ships, breathing violence, he had sent a messenger of peace and good will.

This outrage was followed by an incident in which the same sentiments were revealed. Frederick Douglass, remarkable for his intelligence as for his eloquence, and always agreeable in personal relations, whose only offense is a skin not entirely Caucasian, was selected by the President to accompany the St. Domingo commissioners, and yet on his return, and almost within sight of the Executive Mansion, he was repelled from the common table of the mail steamer on the Potomac, where his companions were already seated, and thus through him was the African race insulted, and their equal rights denied, but the President whose commission he had borne neither did or said anything to right this wrong, and a few days later, when entertaining the commissioners at the Executive Mansion, actually forgot the colored orator whose services he had sought. But this indignity is in unison with the rest. After insulting the Black Republic, it is easy to see how natural it was to treat with insensibility the representative of the African race.

ALL THESE THINGS IN ISSUE NOW.

Here I stay this painful catalogue in its

various heads, beginning with Nepotism and Gift-taking officially compensated, and ending in the contrivance against St. Domingo with indignity to the African race, not because it is complete, but because it is enough. With sorrow unspeakable have I made this exposure of pretensions which for the sake of Republican Institutions every good citizen should wish expunged from history; but I had no alternative, The President himself insists upon putting them in issue; he will not allow them to be forgotten. As a candidate for re-election he invites judgment, while partisans acting in his behalf make it absolutely necessary by the brutality of their assault on faithful Republicans unwilling to see their party, like the presidential office, a personal perquisite. If his partisans are exacting, vindictive, and unjust, they act only in harmony with his nature too truly represented in them. There is not a ring, whether military or senatorial, that does not derive its distinctive character from himself. Therefore what they do and what they say must be considered as done and said by the chieftain they serve. And here is a new manifestation of that sovereign egotism which no taciturnity can cover up, and a new motive for inquiry into its pernicious influence.

THE GREAT PRESIDENTIAL QUARRELER.

Any presentment of the President would be imperfect which did not show how this ungovernable personality breaks forth in quarrel, making him the great presidential quarreler of our history. As in nepotism, gift-taking officially compensated, and presidential pretensions generally, here again he is foremost, having quarreled not only more than any other President, but more than all others together from George Washington to himself. His own Cabinet, the Senate, the House of Representatives, the diplomatic service and the civil service generally, all have their victims, nearly every one of whom, besides serving the Republican party, had helped to make him President. Nor have Army officers, his companions in the field, or even his generous patrons, been exempt. To him a quarrel is not only a constant necessity but a perquisite of office. To nurse a quarrel, like tending a horse, is in his list of presidential duties. How idle must be the words of Shakspeare be fulfilled, "This day all quarrels die." To him may be applied those other words of Shakspeare, "as quarrelous as the weasel."

Evidently our President has never read the Eleventh Commandment: "A President of the United States shall never quarrel." At least he lives in perpetual violation of it, listening to stories from horse cars, gobbling the gossip of his military ring, disconsoling on imaginary griefs, and nursing an unjust anger. The elect of forty millions of people has no

right to quarrel with anybody. His position is too exalted. He cannot do it without offense to the requirements of patriotism, without a shock to the decencies of life, without a jar to the harmony of the universe. If lesson were needed for his conduct he might find it in that King of France, who, on ascending the throne, made haste to declare that he did not remember injuries received as Dauphin. Perhaps a better model still would be Tancred, the acknowledged type of the perfect Christian knight, who "disdained to speak ill of whoever it might be, even when ill had been spoken of himself." Our soldier President could not err in following this knightly example. If this were too much then at least might we hope that he would consent to limit the sphere of his quarrelsome operations, so that the public service might not be disturbed. Of this be assured. In every quarrel he is the offender, according to the fact, as according to every reasonable presumption; especially is he responsible for its continuance. The President can always choose his relations with any citizen. But he chooses discord. With the arrogance of arms he resents any impediment in his path, as when, in the spring of 1870, without allusion to himself, I felt it my duty to oppose his St. Domingo contrivance. The verse of Juvenal, as translated by Dryden (*Satires*, III, 464, 468,) describes his conduct.

"Poor me he fights, if that be fighting, where
He only cudgels, and I only bear."

* * * * *

"Answer or answer not, 'tis all the same,
He lays me on and makes me bear the blame."

Another scholarly translator gives to this description of the presidential quarrel another form, which is also applicable:

"If that be deemed a quarrel where, heaven knows,
He only gives and I receive the blows—
Across my path he strides and bids me stand!—
I bow obsequious to the dread command."

If the latter verse is not entirely true in my case, something must be pardoned to that liberty in which I was born.

Men take their places in history according to their deeds. The flattery of life is then superseded by the truthful record, and rulers do not escape judgment. Louis X, of France, has the designation of *Le Hutin* or "The Quarreler," by which he is known in the long line of French kings. And so in the long line of American Chief Magistrates has our President vindicated for himself the same title. He must wear it. The French monarch was younger than our President; but there are other points in his life which are not without parallel. According to a contemporary chronicle he was "well-disposed but not very attentive to the needs of the kingdom"—*volentif mais pas bien ententif en ce qu'au royaume il falloit*; and then again it was his rare fortune to sign one of the greatest ordinances of French

history, declaring that according to nature all men have the right to be free; but the Quarreler was in no respect author of this illustrious act, and was moved to its adoption by considerations of personal advantage. It will be for impartial history to determine if our Quarreler, who treated his great office as a personal perquisite, and all his life long was against that Enfranchisement to which he put his name, does not fall into the same category.

DUTY OF THE REPUBLICAN PARTY.

And now the question of duty is distinctly presented to the Republican party. I like that word. It is at the mandate of duty that we must act. Do the presidential pretensions merit the sanction of the party? Can Republicans without departing from all obligations, whether of party or patriotism, recognize our ambitious Cæsar as a proper representative? Can we take the fearful responsibility of his prolonged empire? I put these questions solemnly, as a member of the Republican party, with all the earnestness of a life devoted to the triumph of this party, but which I served always with the conviction that I gave up nothing that was meant for country or mankind. With me the party was country and mankind; but with the adoption of all these presidential pretensions, the party loses its distinctive character and drops from its sphere. Its creed ceases to be Republicanism and becomes Grantism; its members cease to be Republicans and become Grant-men. It is no longer a *political* party, but a *personal* party. For myself, I say openly, I am no man's man; nor do I belong to any personal party.

ONE TERM FOR PRESIDENT.

The attempt to change the character of the Republican party begins by assault on the principle of One Term for President. Therefore must our support of this requirement be made manifest; and here we have the testimony of our President and what is stronger, his example, showing the necessity of such limitation. Authentic report attests that before his nomination he declared that "The liberties of the country cannot be maintained without a One Term amendment of the Constitution." At this time Mr. Wade was pressing this very amendment. Then after his nomination, and while his election was pending, the organ of the Republican party at Washington, where he resided, commended him constantly as faithful to the principle. The Morning Chronicle of June 3, 1869, after the canvass had commenced, proclaimed of the candidate, "*He is, moreover, an advocate of the One Term principle as conducing toward the proper administration of the law—a principle with which so many prominent Republicans have identified themselves that it may be accepted as an article of party faith.*" Then again, July 14, the same organ insisted,

"Let not Congress adjourn without passing the One-Term amendment to the Constitution. There has never been so favorable an opportunity. All parties are in favor of it. *General Grant is in favor of it.* The party that supports General Grant demands it, and above all else public morality calls for it." Considering that these pledges were made by an organ of the party, and in his very presence, they may be accepted as proceeding from him. His name must be added to the list with Andrew Jackson, William Henry Harrison, Henry Clay, and Benjamin F. Wade, all of whom are enrolled against the reëligibility of a President.

But his example as President is more than his testimony in showing the necessity of this limitation. Andrew Jackson did not hesitate to say that it was required in order to place the President "beyond the reach of any improper influence and uncommitted to any other course than the strict line of constitutional duty." William Henry Harrison followed in declaring that with the adoption of this principle "the incumbent would devote all his time to the public interest and there would be no cause to misrule the country." Henry Clay was satisfied after much observation and reflection "that too much of the time the thoughts and the exertions of the incumbent are occupied during the first term in securing his reëlection." Benjamin F. Wade, after denouncing the reëligibility of the President, said: "There are defects in the Constitution, and this is among the most glaring."

And now our President by his example, besides his testimony, vindicates all these authorities. He makes us see how all that has been predicted of Presidents seeking reëlection is fulfilled; how this desire dominates official conduct; how naturally the resources of the Government are employed to serve a personal purpose; how the national interests are subordinate to individual advancement; how all questions, foreign or domestic, whether of treaties or laws, are handled with a view to electoral votes; how the appointing power lends itself to a selfish will, acting now by the temptation of office and then by the menace of removal; and, since every officeholder and every office seeker has a brevet commission in the predominant political party, how the President, desiring reëlection, becomes the active head of three coöperating armies, the army of officeholders eighty thousand strong, the larger army of office seekers, and the army of the political party, the whole constituting a consolidated power which no candidate can possess without peril to his country. Of these vast coöperating armies the President is commander-in-chief and generalissimo. Through these he holds in submission even Representatives and Senators, and makes the country his vassal with a condition not unlike that of

martial law where the disobedient are shot, while the various rings help secure the prize. That this is not too strong appears from testimony before a Senate Committee, where a presidential lieutenant boldly denounced an eminent New York citizen, who was a prominent candidate for Governor, as "obnoxious to General Grant," and, then with an effrontery like the presidential pretension, announced that "President Grant was the representative and head of the Republican party, and all good Republicans should support him in all his measures and appointments, and any one who did not do it should be *crushed out*." Such things teach how wise were those statesmen who would not subject the President to the temptation or even the suspicion of using his vast powers in promoting personal ends.

Unquestionably the One Man Power has increased hitherly beyond example, owing partly to the greater facilities of intercourse, especially by telegraph, so that the whole country is easily reached; partly to improvements in organization, by which distant places are brought into unity; and partly through the protracted prevalence of the military spirit created by the war. There was a time in English history when the House of Commons, on the motion of the famous lawyer, Mr. Dunning, adopted the resolution: "That the influence of the Crown has increased, is increasing, and ought to be diminished." The same declaration is needed with regard to the President; and the very words of the parliamentary patriot may be repeated. In his memorable speech, Mr. Dunning, after saying that he did not rest "upon proof idle to require," declared that the question "must be decided by the consciences of those who, as a jury, were called to determine what was or was not within their own knowledge." (*Hansard, Parliamentary History, April, 1780, Vol. XXI, p. 347.*) It was on ground of notoriety cognizable to all that he acted. And precisely on this ground, but also with specific proofs, do I insist that the influence of the President has increased, is increasing, and ought to be diminished. But in this excellent work, well worthy the best efforts of all, nothing is more important than the limitation to one term.

There is a demand for reform in the Civil Service, and the President formally adopts this demand; but he neglects the first step, which depends only on himself. From this we may judge his little earnestness in the cause. Beyond all question, Civil Service Reform must begin by a limitation of the President to one term, so that the temptation to use the appointing power for personal ends may disappear from our system, and this great disturbing force cease to exist. If the President is sincere for reform, it will be easy for him to set the example by declaring again his adhesion to the One-

Term principle. But even if he fails we must do our duty.

Therefore, in opposing the prolonged power of the present incumbent, I begin by insisting that, for the good of the country and without reference to any personal failure, no President should be a candidate for réélection; and it is our duty now to set an example worthy of Republican Institutions. In the name of the One-Term principle, once recognized by him, and which needs no other evidence of its necessity than his own Presidency, I protest against his attempt to obtain another lease of power. But this protest is on the threshold.

UNFITNESS FOR THE PRESIDENTIAL OFFICE.

I protest against him as radically unfit for the presidential office, being essentially military in nature, without experience in civil life, without aptitude for civil duties, and without knowledge of republican institutions, all of which is perfectly apparent, unless we are ready to assume that the matters and things set forth to-day are of no account—and then in further support of the candidate, boldly declare that nepotism in a President is nothing, that gift-taking with repayment in official patronage is nothing, that violation of the Constitution and of law international and municipal is nothing, that indignity to the African race is nothing, that quarrel with political associates is nothing, and that all his presidential pretensions in their motley aggregation, being a new Cæsarism or personal government, are nothing. But if these are all nothing, then is the Republican party nothing; nor is there any safeguard for republican institutions.

APOLOGIES.

Two apologies I hear.

The first is that he means well and errs from want of knowledge. This is not much. It was said of Louis the Quarreller, that he meant well; nor is there a slate head-stone in any village burial ground that does not record as much of the humble lodger beneath. Something more is needed for a President. Nor can we afford to perpetuate power in a ruler who errs so much from ignorance. Charity for the past I concede; but no investiture for the future.

The other apology is that his Presidency has been successful. How? When? Where? Not to him can be attributed that general prosperity which is the natural outgrowth of our people and country, for his contribution is not traced in the abounding result. Our golden fields, productive mines, busy industry, diversified commerce owe nothing to him. Show, then, his success. Is it in the finances? The national debt has been reduced; but not to so large an amount as by Andrew Johnson in the same space of time. Little merit is due to either, for each employed the means allowed

by Congress. To the American people is this reduction due, and not to any President. And while our President in this respect is no better than his predecessor, he can claim no merit for any systematic effort to reduce taxation or restore specie payments. Perhaps, then, it is in foreign relations that he claims the laurels he is to wear. Knowing something of these from careful study and years of practical acquaintance, I am bound to say that never before has their management been so wanting in ability and so absolutely without character. With so much pretension and so little knowledge, how could it be otherwise? Here the President touches nothing which he does not muddle. In every direction is muddle—muddle with Spain, muddle with Cuba, muddle with the Black Republic, muddle with distant Corea, muddle with Venezuela, muddle with Russia, muddle with England—on all sides one diversified muddle. If there is not muddle with Germany and France, it must be from their forbearance. To this condition are we reduced. When before in our history have we reached any such bathos as that to which we have been carried in our questions with England? Are these the laurels for a presidential candidate? But where are they? Are they found on the Indian frontier? Let the cry of massacre and blood from that distant region answer. Are they in reform of the civil service? But here the initial point is the limitation of the President to one term, so that he may be placed above temptation; but this he opposes. Evidently he is no true reformer. Are these laurels found in the administration of the Departments? Let the discreditable sale of arms to France in violation of neutral duties and of municipal statute be the answer, and let the custom houses of New York and New Orleans with their tales of favoritism and of nepotism, and with their prostitution as agencies, mercenary and political, echo back the answer, while senatorial committees organized contrary to a cardinal principle of Parliamentary Law as a cover to these scandals, testify also. And again let the War Department recall the disappearance of important archives, bearing on an important event of the war. So that empty boxes remain, like a coffin without the corpse. Where, then, are the laurels? At last I find them fresh and brilliant in the harmony which the President has preserved among Republicans. Harmony do I say? This should have been his congenial task; nor would any aid or homage of mine been wanting. But instead he has organized discord operating through a succession of rings, and for laurels we find only weeds and thistles.

But I hear that he is successful in the States once in rebellion. Strange that this should be said while we are harrowed by the reports

of Ku Klux outrages. Here, as in paying the national debt, Congress has been the effective power. Even the last extraordinary measure became necessary, in my judgment, to supplement his little efficiency. Had the President put into the protection of the colored people at the South half the effort and earnest will with which he maintained his St. Domingo contrivance, the murderous Ku Klux would have been driven from the field and peace assured. Nor has he ever exhibited to the colored people any true sympathy. His conduct to Frederick Douglass on his return from St. Domingo is an illustration, and so also was his answer to the committee of colored fellow-citizens seeking his countenance for the pending measure of Civil Rights. Some thought him indifferent; others found him insulting. Then came his recent letter to the great meeting at Washington, May 9, 1872, called to assert these rights, where he could say nothing more than this: "I beg to assure you, however, that I sympathize most cordially in any effort to secure for all our people of whatever race, nativity or color, *the exercise of those rights to which every citizen should be entitled.*" Of course everybody is in favor of "the rights to which every citizen should be entitled." But what are these rights? And this meaningless juggle of words, entirely worthy of the days of slavery, is all that is vouchsafed by a Republican President for the equal rights of his colored fellow-citizens.

I dismiss the apologies with the conclusion that in the matters to which they invite attention, his Presidency is an enormous failure.

THE PRESIDENT AS CANDIDATE.

Looking at his daily life as it becomes known through the press or conversation, his chief employment seems the dispensation of patronage, unless society is an employment. For this he is visited daily by Senators and Representatives bringing distant constituents. The Executive Mansion has become that famous treasury trough, described so well by an early Congressional orator:

"Such running, such jostling, such wriggling, such clambering over one another's backs, such squealing because the tub is so narrow and the company is so crowded."—*Speech of Josiah Quincy, January 30, 1811, Annals of Congress, page 851.*

To sit behind is the Presidential occupation, watching and feeding the animals. If this were an amusement only it might be pardoned; but it must be seen in a more serious light. Some nations are governed by the sword, in other words by central force commanding obedience. Our President governs by offices, in other words by the appointing power, being a central force by which he coerces obedience to his personal will. Let a Senator or Representative hesitate in the support of his autocracy or doubt if he merits a second term, and forthwith

some distant consul or postmaster, appointed by his influence, begins to tremble. The "Head Centre" makes himself felt to the most distant circumference. Can such tyranny, where the military spirit of our President finds a congenial field, be permitted to endure? *

In adopting him as a candidate for reëlection we undertake to vindicate his Presidency, and adopt in all things the insulting, incapable, aid-de-campish dictatorship which he has inaugurated. Presenting his name we vouch for his fitness, not only in original nature, but in experience of civil life, in aptitude for civil duties, in knowledge of republican institutions and elevation of purpose; and we must be ready to defend openly what he has openly done. Can Republicans honestly do this thing? Let it be said that he is not only the greatest nepotist among Presidents, but greater than all others together, and what Republican can reply? Let it be said that he is not only the greatest gift-taker among Presidents, but the only one who repaid his patrons at the public expense, and what Republican can reply? Let it be said that he has openly violated the Constitution and International Law, in the prosecution of a wretched contrivance against the peace of St. Domingo, and what Republican can reply? Let it be said that wielding the power of the Great Republic he has insulted the Black Republic with a menace of war, involving indignity to the African race, and what Republican can reply? Let it be said that he has set up presidential pretensions without number, constituting an undoubted Cæsarism or personal government, and what Republican can reply? And let it be added that, unconscious of all this misrule, he quarrels without cause even with political supporters and on such a scale as to become the greatest presidential quarreller of our history, quarrelling more than all other Presidents together, and what Republican can reply? It will not be enough to say that he was triumphant in war, as Scipio, the victor of Hannibal, reminded the Roman people that on this day he conquered at Zama. Others have been triumphant in war and failed in civil life, as Marlborough, whose heroic victories seemed unaccountable in the frivolity, the ignorance, and the heartlessness of his pretended statesmanship. To Washington was awarded that rarest tribute, "first in war, first in peace, and first in the hearts of his countrymen." Of our President it will be said willingly, "first in war," but the candid historian will add, "first in nepotism, first in gift-taking repaid by official patronage, first in presidential pretensions, and first in quarrel with his countrymen."

Anxiously, earnestly, the country asks for reform, and stands tip-toe to greet the coming. But how expect reform from a President who needs it so much himself? Who shall

reform the reformer? So, also, does the country ask for purity. But is it not vain to seek this boon from one whose presidential pretensions are so demoralizing? Who shall purify the purifier? The country asks for reform in the civil service, but how expect any such change from one who will not allow the presidential office to be secured against its worst temptation? The country desires an example for the youth of the land, where intelligence shall blend with character and both be elevated by a constant sense of duty with unselfish devotion to the public weal. But how accord this place to a President who makes his great office a plaything and perquisite, while his highest industry is in quarreling? Since Sancho Panza at Barataria no Governor has done so well for his relations at the expense of his country, and if any other has made Cabinet appointments the return for personal favors, his name has dropped out of history. A man is known by his acts; so, also, by the company he keeps. And is not our President known by his intimacy with those who are by words of distrust? But all these by-words look to another term for perpetuation of their power. Therefore, for the sake of reform and purity, which is a longing of the people, and also that the Chief Magistrate may be an example, we must seek a remedy.

See for one moment how pernicious must be the presidential example. First in place, his personal influence is far-reaching beyond that of any other citizen. What he does others will do. What he fails to do others will fail to do. His standard of conduct will be accepted at least by his political supporters. His measure of industry and his sense of duty will be the pattern for the country. If he appoints relations to office and repays gifts by official patronage making his Presidency, "a great Gift Enterprise," may not every office-holder do likewise, each in his sphere, so that nepotism and gift-taking officially compensated will be general and gift enterprises be multiplied indefinitely in the public service? If he treats his trust as plaything and perquisite, why may not every office-holder do the same? If he disregards constitution and law in the pursuit of personal objects how can we expect a just subordination from others? If he sets up pretensions without number, repugnant to Republican institutions, must not the good cause suffer? If he is stubborn, obstinate, and perverse are not stubbornness, obstinacy and perversity commended for imitation? If he insults and wrongs associates in official trust, who is safe from the malignant influence having its propulsion from the Executive Mansion? If he fraternizes with jobbers and Hessians, where is the limit to the demoralization that must ensue? Necessarily the public service takes its character from its elected chief and the whole country reflects the President.

His example is a law. But a bad example must be corrected as a bad law.

APPEAL TO THE REPUBLICAN PARTY.

To the Republican party, devoted to ideas and principles, I turn now with more than ordinary solicitude. Not willingly can I see it sacrificed. Not without earnest effort against the betrayal can I suffer its ideas and principles to be lost in the personal pretensions of one man. Both the old parties are in a crisis, with this difference between the two. The Democracy is dissolving; the Republican party is being absorbed. The Democracy is falling apart, thus visibly losing its vital unity; the Republican party is submitting to a personal influence, thus visibly losing its vital character. The Democracy is ceasing to exist. The Republican party is losing its identity. Let the process be completed, and it will be no longer that Republican party which I helped to found and have always served, but only a personal party, while instead of those ideas and principles which we have been so proud to uphold will be presidential pretensions, and instead of Republicanism there will be nothing but Grantism.

Political parties are losing their sway. Higher than party are country and the duty to save it from Cæsar. The caucus is at last understood as a political engine, moved by wire-pullers, and it becomes more insupportable in proportion as directed to personal ends; nor is its character changed when called a National Convention. Here too are wire-pullers, and when the great Officeholder and the great Officeseeker are one and the same, it is easy to see how naturally the engine responds to the central touch. A political convention is an agency and convenience, but never a law, least of all a despotism; and when it seeks to impose

a candidate whose name is a synonym of pretensions unrepublican in character and hostile to good government, it will be for earnest Republicans to consider well how clearly party is subordinate to country. Such a nomination can have no just obligation. Therefore with unspeakable interest will the country watch the National Convention at Philadelphia. It may be an assembly (and such is my hope!) where ideas and principles are above all personal pretensions, and the unity of the party is symbolized in the candidate or it may add another to presidential rings, being an expansion of the military ring at the Executive Mansion, the senatorial ring in this Chamber, and the political ring in the custom houses of New York and New Orleans. A National Convention which is a presidential ring cannot represent the Republican party.

Much rather would I see the party, to which I am dedicated, under the image of a life-boat not to be sunk by wind or wave. How often have I said this to cheer my comrades. I do not fear the Democratic party. Nothing from them can harm our life-boat. But I do fear a quarrelsome pilot, unused to the sea, but pretentious in command, who occupies himself in loading aboard his own unserviceable relations and personal patrons while he drives away the experienced seamen who know the craft and her voyage. Here is a peril which no life-boat can stand.

Meanwhile I wait the determination of the National Convention, where are delegates from my own much honored Commonwealth with whom I rejoice to act. Not without anxiety do I wait, but with the earnest hope that the Convention will bring the Republican party into ancient harmony, saving it especially from the suicidal folly of an issue on the personal pretensions of one man.



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